



Australian Government

Department of Infrastructure, Transport,  
Regional Development and Communications



# Road Vehicle Standards



Guide to Testing Facilities  
May 2020

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## Introduction

### What is the Road Vehicle Standards (RVS) legislation and what will change for testing facilities?

The regulation of testing facilities is key to the Australian Government's ability to ensure Australians are provided with safe, secure and environmentally-friendly vehicles.

This is because we rely on test evidence from testing facilities when deciding whether a road vehicle or road vehicle component complies with the applicable national road vehicle standards.

The Road Vehicle Standards Act 2018 (RVSA) is replacing the Motor Vehicle Standards Act 1989 (MVSA) and is being implemented by the Department of Infrastructure, Transport, Regional Development and Communications (the department).

The detail of how the new regulatory framework will operate is contained in subsidiary legislation, the Road Vehicle Standards Rules 2019 (the Rules). The RVSA and other related legislation is collectively referred to as the Road Vehicle Standards (RVS) legislation.

The regulation of testing facilities in the RVS legislation takes a new approach to the current treatment of test facilities that are registered with the department in the Road Vehicle Certification System (RVCS).

Under the RVS legislation, test evidence submitted must come from an approved testing facility.

That is, test facilities that wish to continue to test road vehicles and road vehicle components for compliance with the national road vehicle standards must apply for a testing facility approval.

Under the RVS legislation testing facility approval holders will have important responsibilities to ensure ongoing compliance.

Applications for approval of testing facilities can be submitted from 6 May 2020. Test reports provided to new applicants for a type approval, component type approval and/or Model Report approvals in the future will be able to use test evidence from an RVSA-approved testing facility.

### What is an approved testing facility?


An approved testing facility undertakes testing of road vehicles and/or road vehicle components.

The purpose of testing is to provide evidence of compliance against the applicable national road vehicle standards and/or other standards, as determined by the Minister under subsection 89(2) of the Rules.

An approved testing facility may include one or more testing facility locations, or may be approved without a physical location if they are an accredited testing oversight body.

**Testing oversight body** – is an individual or company with accredited authorisation and technical qualifications to witness the testing of road vehicles or road vehicle components at appropriate locations. Essentially, they provide evidence of compliance against applicable road vehicle standards.

The Secretary of the department (the Secretary) is authorised under the RVS legislation to, amongst other things, grant or not grant an approval of a testing facility. The Secretary can delegate his/her powers to certain departmental officers.



Under the RVS legislation, the Secretary will need to be satisfied that an approved testing facility either has, or has access to:

- technology and equipment to adequately test vehicles and road vehicle components under the approval, and
- appropriately skilled personnel to carry out any testing under the testing facility approval.

## Who can apply for approval of testing facilities?

An individual or company may apply for approval of a testing facility. This can include testing oversight bodies, provided they meet the eligibility criteria.

An authorised agent or company representative can also apply on behalf of the applicant. If an agent or representative applies on behalf of the applicant, they must have access to, and be able to provide, the relevant documents and information.

The named applicant, not the agent or representative, is the holder of the testing facility approval, and is responsible for meeting the approval's conditions.

It is important to note that if false or misleading information is submitted or if conditions of the testing facility approval are not met, penalties may apply for the applicant and/or the agent.

## Why do I need a testing facility approval?

Under the RVS legislation, applicants for type approvals, component type approvals and Model Report approvals must obtain test reports from approved testing facilities to demonstrate compliance with applicable national road vehicle standards.

If a test facility registered in RVCS wishes to continue to test road vehicles or road vehicle components for compliance with the applicable road vehicle standards, it must apply for a testing facility approval under the new RVS legislation.

Further, if a test facility developed test reports while registered in RVCS, those reports can continue to be used as evidence of compliance, but only once the test facility has applied for, and is granted, a testing facility approval under the RVS legislation.

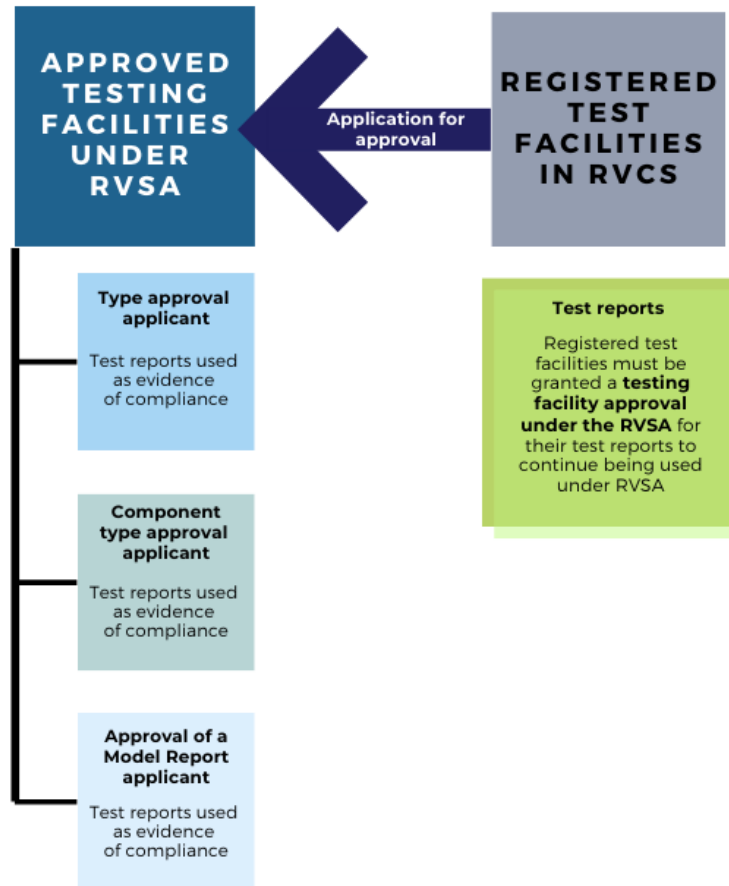
In some limited circumstances, a test report from a test facility registered in RVCS may still be considered as evidence to satisfy the requirements under the RVS legislation. 'Opt-in' is a concession available during a six-month transitional period for holders of certain approvals under the MVSA. This is where holders of certain MVSA approvals are able to have their existing approval taken to be a road vehicle type approval, which will be in force for 5 years, without providing additional evidence, including test reports. This 'opt-in' arrangement recognises existing evidence to meet the eligibility criteria under the RVS legislation.

This only applies to approvals under subsections 10A(1), 10A(2) or 14A of the MVSA or regulation 20 of the Motor Vehicle Standards Regulations 1989, and is only available when the approval holder takes advantage of the 'opt-in' concessional arrangement, including making a declaration that they will comply with the requirements and conditions of an approval under the RVS legislation.

The department also recognises there may be specific circumstances allowing submission of test reports from test facilities that have chosen not to apply for approval under the RVS legislation, as acceptable evidence.

For example, an MVSA approval holder who has made use of the 'opt-in' concession, and after the 5-year period, is required to re-apply for an approval under the RVS legislation. Providing updated or re-tested evidence at this time may impose regulatory and financial burden. The previous test evidence may be considered on a case-by-case basis.

Figure 1 – Importance of registered test facilities in RVCS requiring grant of testing facilities approval under RVSA



## When does an approved testing facility need to be used?

Applicants seeking the grant of a type approval, component type approval or approval of a Model Report (depending on the type of Model Report), will need to demonstrate and provide evidence that the road vehicle complies with the applicable national road vehicle standards.

One form of evidence the department accepts is test reports from testing conducted by a testing facility approval holder under the RVS legislation.

## What IT system do I need to access?

The department uses an online IT service, ROVER (the Road Vehicle Regulator system), which integrates all RVSA activities and approvals.

## Creating a user account in ROVER

Before an application can be submitted, an applicant or their representative must first create an account in ROVER. This process also requires the upload of identity documents that will need to be verified.

The process to create an account for agents or representatives also requires details about the organisation or individual they will be making the application on behalf of.

When an applicant's representative or agent wishes to establish an authority to act on behalf of the applicant, the representative must first create an account in ROVER. The representative must then select the option to record an authority to act in ROVER and upload documentation (for example, a company letter) that states that the agent or organisation employee is authorised to act on behalf of the applicant. This creates a record of the authority to act, who the applicant is and who is submitting on their behalf.

The verification process of the identity documents and/or reviewing the details of the authority to act document may occur at the time of creating an account in ROVER or when the representative first submits an application.

Note: the initial release of ROVER will allow an individual user to establish an authority to act on behalf of an organisation. Future releases, over the next 6 months, will adjust ROVER to establish an authority to act between one individual user to another individual user and one company to another company.

Further information about identity documents, establishing an authority to act and how to create a ROVER account can be found in the [Guide to using ROVER to apply for a testing facility approval](#) on our website:

[infrastructure.gov.au/vehicles/rvs/testing\\_facilities.aspx](https://infrastructure.gov.au/vehicles/rvs/testing_facilities.aspx)



**Example:** an organisation wishes to become an approved testing facility and authorises one of their employees as their representative to submit an application on the organisation's behalf.

The employee must:

- have a copy of the document from the organisation stating they have the authority to act on behalf of the organisation
- create an account in ROVER, uploading all required identity documents
- establish a record of the authority to act in ROVER and upload the required document
- enter information and submit the application for a testing facility on behalf of the organisation

The organisation, as the applicant for the testing facility, must:

- provide relevant details that the employee is authorised to act on their behalf
- provide all relevant information as required by the application to the employee
- take responsibility for all conditions that the testing facility approval is subject, if granted.

## What information do I need to provide in the application?

To apply for a testing facility approval, you must complete the online application form and provide or upload the required information so that your application can be assessed.

Importantly, the Secretary needs to be satisfied that the applicant:

- has, or has access to:
  - technology and equipment to adequately test road vehicles or road vehicle components under the testing facility approval
  - appropriately skilled personnel to carry out any testing under the testing facility approval
- will comply with each of the standard and specified conditions within the testing facility approval.

The information provided in your application enables the department to:

- identify who is applying for the approval
- assess whether the applicant (or any key management personnel) has contravened, or may have contravened, road vehicle legislation
- assess the capabilities of the testing facility against the vehicle standards (ADRs) that will be tested
- assess the testing locations where the tests will take place
- assess whether the applicant is capable of complying with all conditions within an approval
- assess whether the applicant was previously a registered test facility in RVCS
- if agreed, publish testing facility details on the department's website.

The information submitted in the application is required under subsection 108(2)(a) of the Rules as part of the approved form and is reviewed when considering whether to grant or refuse a testing facility approval.

Table 1 Information that must be provided in the application when applying for testing facilities approval

What questions are asked in the application?	What the applicant is expected to have in place or provide?
Identifying information about who is applying	<p>Name and contact details of the applicant.</p> <p>If an individual is applying, the details will be populated from ROVER's registration system.</p> <p>If a company is applying, additional details such as the Australian Business Number (ABN), Australian Company Number (ACN) or certificate of incorporation (if located outside Australia).</p>
Whether you are a testing oversight body	If indicated, upload the appropriate authorisation to witness tests against the applicable road vehicle standards being applied for.
Whether you agree to have details of your testing facility approval, if granted, published on the department's website	Indicate whether you/the applicant wishes to have their testing facility capabilities <sup>1</sup> , including business name and contact details, on the Testing Facilities Register published on the department's website.
Location/s of facilities where testing will occur (not required for testing oversight body)	Confirm the physical addresses of each of the location/s where testing will occur and the details of a nominated contact person/s for the location/s.
Which road vehicle standards are you applying to test against/witness the testing of?	<p>From drop down lists, and for each location, choose the applicable ADRs and standards under subsection 89(2) of the Rules against which the tests will be undertaken, and indicate whether the test will be conducted in full or partially.</p> <p>If applicable, additional information and accreditations can be uploaded.</p>
Transitional information to provide continuity of registered testing facility users in RVCS	Indicate if you/the applicant were a registered test facility in RVCS. Add the RVCS registration number. If multiple numbers were held, add at least one, which the IT system will validate.

<sup>1</sup> An approved testing facility has a capability for a specific ADR or other specified standard, as determined under subsection 89(2) of the Rules if it is able to conduct testing for that standard, and which meets the criteria set out in the Rules.

What questions are asked in the application?	What the applicant is expected to have in place or provide?
Whether you have, or would have, access to technology and equipment to adequately test road vehicles and road vehicle components under the approval	<p>Indicate by ticking a declaration box.</p> <p>New applicants may need to upload supporting documentation such as an applicable accreditation certificate (English translation where necessary).</p> <p>It is expected the applicant will have documentation that lists all of the equipment and technology they have, or have access to, that is required to test against the applicable road vehicle standards.</p> <p>An applicant may have a relevant acceptable accreditation, including:</p> <ul style="list-style-type: none"> <li>• National Association of Testing Authorities (NATA)</li> <li>• International Laboratory Accreditation Corporation (ILAC)</li> <li>• Quality Assurance certificate</li> <li>• United Nations Economic Commission for Europe (UN/ECE) approval.</li> <li>• Government-endorsed certificate (for oversight bodies)</li> </ul>
Whether you have, or would have, access to appropriately skilled personnel to carry out any testing under the approval	<p>Indicate by ticking a declaration box.</p> <p>It is expected the applicant will have details about the personnel they employ to conduct testing, such as their qualifications and level of experience, their knowledge of procedures to maintain and correct equipment and ability to produce test reports.</p> <p>New applicants will be asked to provide information about their personnel through a request for information (RFI) when the application is under assessment.</p>
Whether you have, or may have, contravened road vehicle legislation <sup>2</sup>	<p>Indicate by ticking Yes or No.</p> <p>If Yes, then a statement about occurrences will need to be added.</p>

<sup>2</sup> Contravention of road vehicle legislation would include a court ruling being given, whereas may have contravened is where the department has evidence that the person has contravened road vehicle legislation.

What questions are asked in the application?	What the applicant is expected to have in place or provide?
<p>Whether any member of the key management personnel has, or may have, contravened road vehicle legislation</p> <p><b>Key management personnel</b>, of a body corporate means people who are authorised and responsible for planning, directing and controlling the activities of the body corporate (whether directly or indirectly) and includes any director (whether executive or otherwise) of the body corporate</p>	<p>Indicate by ticking Yes or No.</p> <p>If Yes, then details about the key management personnel and a statement about occurrences will need to be added.</p>
<p>Whether you/the applicant will comply with the testing facility approval conditions that apply, that you/the applicant understand the Secretary may refuse to consider the application, and that other considerations may be taken into account when deciding the application</p>	<p>Indicate by ticking a declaration box that if approved, the holder of the approval will comply with all of the approval conditions and that you/the applicant understand that other considerations will be taken into account in deciding to grant the approval.</p> <p>See also the obligations of a testing facility approval holder under the heading <a href="#">Approval holder responsibilities</a>.</p>
<p>Acknowledgment that penalties apply for false or misleading information</p>	<p>Indicate by ticking a declaration box that all of the information in the application is true and correct, not misleading in any particular way, and that penalties may apply if false or misleading information is provided.</p> <p>See also the department's monitoring and enforcement responses under the heading <a href="#">Complying with your responsibilities</a>.</p>

### What if I'm a registered test facility in RVCS?

If you are/were registered as a test facility in RVCS and have a registration number, you will need to input your RVCS Test Facility Registration Number in your online application.

If you held multiple registration numbers, you may apply to have all test facilities registered in RVCS to go under the one testing facility approval under the RVS legislation. The selection of test facility registration numbers will be validated in ROVER.

When applying for an RVS approval and you need to make changes, add capabilities or update identifying details from what was registered in RVCS, you will be prompted during the application process to provide further information as needed.

This provides a streamlined process and reduces the burden on test facilities registered in RVCS that are now required to seek an RVS testing facility approval to continue testing and providing test reports.

## How do I re-apply for a testing facility approval?

Approvals for testing facilities expire 5 years from the date specified in the approval. When the approval expires, the approval holder must no longer operate as a testing facility, unless a new testing facility approval is granted.

If you are a testing facility approval holder under the RVS legislation and your approval is due to expire, you will be sent a notification and be able to select an option to re-apply for a testing facility approval in ROVER.

In the application to re-apply, questions will be limited to whether you wish to seek additional capabilities or make other changes to the last version of your testing facility approval before it expires.

If granted, your testing facility approval will retain the same RVS testing facility approval number, and the approval notice will confirm the date it comes into force, as well as an updated expiry date.

## Personal information

The collection of personal details, such as name and contact details, is considered under the Privacy Act 1988 and the department's Privacy Policy as reasonably necessary to administer the provisions of the RVSA, to assess your application and make decisions.

The approved testing facility's contact information is also required so that communication can be maintained with applicants and approval holders.

If the department receives your/the applicant's permission, either at the time of application or through the self-service portal in ROVER, personal information may be published on the department's website.

You may decide at any time to opt out of having your details including personal information published on the register, by emailing the department. A self-service option in the ROVER portal will also allow you to opt out of having your details published on the department's website.

Personal information may be disclosed to law enforcement agencies as required, including under subpoena or to support a law enforcement activity.

Requests from other government agencies to disclose personal information will be considered in conjunction with the requirements of the department's Privacy Policy.

Please contact the department's Privacy Officer for more information on (02) 6274 6495.

## Commercial information

You may need to upload additional information or documents as part of the application process, or when the department requests further information.

All information and documentation provided will be considered when deciding whether to grant, or refuse to grant, a testing facility approval.

The information and documentation will be treated as commercial-in-confidence at all times and any further disclosure will not be made without your consent unless it is required by law.

Only departmental staff with the appropriate authority will be able to assess or decide on your application.

## Application fees and levies

The Australian Government will continue to recover costs of activities relating to the administration of the RVS legislation from industry participants, consistent with the Australian Government Charging Framework.

The fees we charge for testing facility approval applications reflect the actual cost of processing applications. When an application is submitted, ROVER will prompt you to make a payment via the online payment system. The application's status will remain 'submitted-pending payment' until payment has been made. If no payment is made within 30 days, the decision maker will refuse to consider the application. The payment will direct the application for assessment and the status will be updated to 'in progress'.

The application fee that will be applied is \$370.

It is important to note that applications are not complete until the application fee has been paid and applications will not be considered until your payment has been received.

In addition to the application fee, testing facilities, if granted, will also be required to pay a flat-rate annual levy. This reflects a share of the broader costs of other regulatory activities that the department will need to undertake, including stakeholder engagement, education, compliance and enforcement activities and a portion of capital costs.

Annual levies will be payable in advance, upon grant of an approval. Further information about levies will be made available when finalised.

The indicative annual levy amount for testing facilities is \$970.

However, the annual levy for the first year will not be payable for all testing facilities that apply before 1 July 2021.

Payments can be made through a payment portal on ROVER.

Please note that the department will only accept payments via credit card (Visa or MasterCard).

Further details on the payment process will be made available once ROVER has been fully developed.

More information about fees and levies is available at: [infrastructure.gov.au/vehicles/](https://infrastructure.gov.au/vehicles/)

## Can I change details in my application?

When you start a new application, ROVER allows you to save your work, exit the system and return to your saved work as and when needed. At any time before submission, you can change the details of your saved application.

If you need to make changes **after** submitting your application, the following scenarios cover how changes are managed:

- If the application has been submitted but not paid, you can withdraw the application and start a new application
- If the application has been submitted and paid, it will return a status of 'in progress'. You can either:
  - notify the department that a change is required and provide your further information when requested
  - withdraw the application and start a new application (please note that a new application fee is payable in this instance), or

- If the assessment has been completed and an approval issued, then you need to apply for a variation of the approval and pay any applicable fees (see also [Can I change details in a testing facility approval?](#) covered later in this document).

If you withdraw an application that has already been submitted and paid, the application fee will not be refunded.

It is important that you ensure all aspects of your testing facility application are accurate and comprehensive, so that the assessment period is not delayed. Any changes made after the approval is granted may incur additional fees.

As you progress through the application creation, submission, payment and decision, you will be able to view the status of your application at certain stages, as described in Table 2 below.

Table 2 Application stages and ROVER statuses

Application stage	Status in ROVER	Options available	Fees
Started	Draft saved	Withdraw/delete	Not applicable
Completed	Saved	Withdraw/delete or submit	Not applicable
Submitted, not paid	Submitted – pending payment	Withdraw	Fee payable
Submitted, paid	In progress	Withdraw Email changes/errors	Paid No refund available
Withdrawn	Withdrawn	New application	No refund available
Request for information	On hold – query pending	Withdraw	No refund available
Refused to consider application	Refused	Re-apply Appeal <sup>3</sup>	No refund available
Refused grant of approval	Refused	Appeal	No refund available
Review of decision	Under appeal	Withdraw appeal	No refund available
Approval granted	Approved	Vary Suspend Revoke	Fees may apply Not applicable Not applicable
Approval due to expire	Approved	Re-apply	Fees to be paid
Approval expired	Expired	New application	Fees to be paid

More information about the statuses of applications from the ROVER portal will be available when finalised.

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<sup>3</sup> Appeal is to the Administrative Appeals Tribunal (AAT), not the department.

## Decision making – granting or refusing an approval

### What does the department do with the information provided?

The department will assess the information submitted in your application against the eligibility criteria, as set out in section 111 of the Rules, in addition to other considerations and relevant matters under section 112 of the Rules.

A recommendation will then be provided to the Secretary or the delegated decision maker whether to grant, or refuse to grant, an approval.

Access to the technology, equipment and skilled personnel, details about accreditations held and whether a testing facility approval holder can meet the conditions of their approval, will all be assessed.

The department will consider:

- who is seeking the approval and any previous capabilities registered for a test facility in RVCS
- the location/s for the testing facility to ensure they are suitable for:
  - the type of testing to be conducted
  - the standards selected.

Providing insufficient or incorrect information with your application, or not complying with a request made by the department under subsection 109(1) of the Rules, may result in the application being refused for consideration.

### What do we expect to assess?

To ensure the Secretary or the delegated decision maker is satisfied whether to grant a testing facility approval, there is a consistent approach to assessing:

- all the required information and supporting documentation has been submitted with the application
- any additional information provided by the applicant when requested by the department
- any other matters considered relevant to the specific application.

The assessment focuses on the information and supporting documents submitted with the application.

It is therefore important that your application provides sufficient detail to enable the decision maker to grant an approval.

If you have applied for a large range of capabilities and equally large span across an ADR or standard, then assessment will need to address all of the technology, equipment, locations and personnel to provide accurate and repeatable test outcomes.

To ensure the conditions within an approval will be met by the approval holder, the decision maker must be satisfied that the approval holder has:

- appropriate internal record keeping systems
- equipment calibration and maintenance processes
- skilled (certified and experienced) staff to conduct the tests
- effective communication practices.



Table 3 Expectations against eligibility criteria and other considerations

Eligibility criterion	What do you need to have in place?
Technology and equipment to adequately test vehicles and road vehicle components under the approval	<ul style="list-style-type: none"> <li>• Is the technology and equipment that you have, or have access <sup>4</sup> to, suitable to test against the applicable road vehicle standard, i.e. the equipment testing requirements contained within an ADR or standard determined by the Minister under subsection 89(2) of the Rules?</li> <li>• Is the measurement, recording and calibration requirements of the technology and instrumentation clearly presented in procedures, instructions, checklists, test reports or other documents?</li> <li>• Do your record keeping processes cover the traceability and quality assurance of equipment, including labelling, serial numbers, calibration checks and maintenance data?</li> <li>• If partial testing has been approved, have the limitations been made clear in all procedures, communication processes with clients and will be clearly noted within test reports?</li> <li>• Is your record keeping systems maintained and accessible over the period that they must be kept (7 years), and available in English if required?</li> </ul>
Appropriately skilled personnel to carry out any testing under the approval	<ul style="list-style-type: none"> <li>• Do you have, or have access to a range of academically qualified and experienced staff to conduct the testing under the approval?</li> <li>• Are technical supervisors suitably qualified with a proportionate number of trained personnel to cover the range and types of tests required under the approval?</li> <li>• Are staff able to demonstrate knowledge of testing procedures, maintenance of equipment and able to apply corrective factors where necessary?</li> <li>• Does your record keeping maintain details about the personnel employed to conduct the testing under the approval?</li> </ul>
Other considerations and relevant matters	<ul style="list-style-type: none"> <li>• Are the location addresses valid and match the type of testing to be conducted under the approval?</li> <li>• Do you hold relevant and acceptable accreditations?</li> <li>• Have you maintained records, if known, of any personnel who have, or may have, contravened road vehicle legislation?</li> </ul>

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<sup>4</sup> Having access to the relevant equipment or skilled personnel to carry out testing under the approval means the holder of an approval who does not own the equipment or employ the personnel, may be required to demonstrate how, by contract or other arrangements, the access is provided.

## Request for further information or inspection

During assessment, you may be asked to provide more specific information relevant to your application under section 109 of the Rules, to help the department decide whether to grant an approval.

The department may also ask to inspect premises where testing under the approval is to be carried out, to further assess suitability of the capability being applied for.

You will receive an email notification which will provide details about the request to inspect and will explain what information needs to be provided and when. The department will contact you to arrange a suitable time to inspect.

If you receive a request for further information (RFI) or inspection, the time to decide the application is paused for 30 days, or a longer period if specified in the request.

An example where a longer period may be allowed is where the RFI is complex or detailed, or where the inspection may be at premises located overseas.

While under an RFI, the status of the application will be updated to 'on hold—query pending'.

The assessment will resume once the request for additional information or an inspection has been completed and the application status will be updated to 'in progress'.

Responses to requests for further information will be taken into account when deciding whether to grant the approval.

**Example:** the department may request further information about the applicant's procedures for calibration of equipment relating to testing and the applicant will need to provide the relevant documentation to comply with the request.

## Refuse to consider a testing facility application

Applications need to include all relevant information, must be in the approved form and accompanied by the application fee to be considered.

The Secretary or the delegated decision maker may decide to refuse to consider an application, if the application does not provide the relevant information, or if requests made by the Secretary or decision maker have not been met.

This means that the application is not assessed and no decision is made to either grant an approval or refuse to grant an approval. You will be notified if the Secretary or delegated decision maker decides to refuse to consider your application.

Where a request for further information or an inspection has been made, you are able to submit relevant details or allow an inspection, to support your application.

This ensures all required information is made available for the decision maker to fully consider and decide the application.

If you fail to comply with a request for information or inspection within the time allowed, or with the relevant information, your application may be refused to be considered, under section 110 of the Rules.

Specifically, the Secretary or the delegated decision maker may refuse to consider an application for a testing facility approval if:

- the application is not in the approved form, noting that ROVER automates this process, however the required documents may not have been submitted with the application (while an upload may have been made, it may not contain the relevant information)

- the application fee has not been paid (within 30 days of submission)
- the applicant has not complied with a request for further information or inspection within the 30 days, or longer period if allowed.

If you disagree with the decision to refuse to consider your application, you may apply for a review of the decision. This will be explained in the refuse to consider application notice.

## How long will it take to decide an application for a testing facility approval?

The Secretary or the delegated decision maker must decide your application for a testing facility approval within 30 business days of receiving the application. This is a legislative requirement under section 113 of the Rules. The department aims to notify the applicant within the 30 days, however if there is a need to request further information or an inspection of premises, the time to make a decision may be longer.

The definition of a **business day** under section 5 of the Rules means a day that is not a Saturday, a Sunday or a public holiday in the Australian Capital Territory.

## Deciding a testing facility application

There are specific criteria that the Secretary or the delegated decision maker will consider and must be satisfied with when deciding your application for a testing facility approval. These are set out in sections 111 and 112 of the Rules. Throughout the process, you can expect a number of notifications from the department's IT system, ROVER, indicating what is happening with your application, including where a decision has been made to not consider your application, not to grant an approval, or that an approval has been granted.

Common notifications that you may receive are:

- that you have successfully saved your application
- that you have an application fee to pay
- that you have successfully submitted an application
- that you have successfully withdrawn an application
- that there is a request for further information or inspection that must be actioned
- that your approval is due to expire.


You will be informed of the decision to grant or refuse a testing facility approval with an appropriate notice. Where refusal decisions are made, the notices will include how you/the applicant can seek a review of the decision.

The decision to grant a testing facility approval notice will clearly indicate the scope of testing under the approval. The notice will confirm that testing is only conducted against one or more listed standards, within any specified requirements or limitations, and at the corresponding one or more testing location/s.

## Publishing approved testing facilities

Under section 227 of the Rules, the department will publish the details of each testing facility approval on the department's website. The details, including the approval holder's business name and contact details, will also be published. The approval number will not be published.

During the application process, you will need to indicate whether you agree for the approved testing facility's details to be published before submitting your application.



You can ask, at any time, for your published details to be removed. The process to either add or delete your testing facility details will be outlined in the approval, if granted.

## Approval numbering

If approval is granted, you will receive a testing facilities approval number, which will be unique and generated automatically from ROVER.

If you indicated that a previous test facility number was held in RVCS, then that number will be incorporated into the testing facilities approval number under the RVS legislation. This will provide continuity of the existing numbering protocols.

If the submitted application is for a new testing facility, ROVER will generate a new approval number, allocated sequentially commencing from TFA020000.

If you re-apply for approval of a testing facility under RVS legislation before the previous approval expires, and if granted, your testing facility approval will retain the same approval number. In this instance, the approval notice will indicate the date that it comes into force and the updated expiry date.

## Approval holder responsibilities

A testing facility approval holder under the RVS legislation has important responsibilities. These will appear as standard and specified conditions detailed within the approval notice, if granted.

Conditions relating to a testing facility approval fall under section 117 of the Rules. These conditions ensure that legislative requirements can be controlled.

It is an offence under the RVS legislation if these conditions are not met and penalties may apply.

See also the information provided under the heading [Complying with your responsibilities](#).

## Summary of responsibilities

Testing facility approval holders have certain responsibilities to ensure the following requirements are met by every approval holder for every test they conduct:

- testing is aligned to the requirements of the applicable road vehicle standard, ADR or standard determined by the Minister under subsection 89(2) of the Rules
- testing is conducted using appropriate equipment and technology that is properly maintained and calibrated
- testing is performed by appropriately skilled personnel
- testing is recorded and reported in an accurate and detailed manner, sufficient to ensure accountability and repeatability
- errors will be corrected and communicated to relevant clients
- records of testing will be kept for 7 years
- when requested in writing by the department, information or documents will be provided.

An approval holder must comply with all of the conditions within their approval. Table 4 lists the standard conditions that will always be applied to a testing facility approval and what the department expects the approval holder will maintain to ensure ongoing compliance.

Table 4 – Standard conditions applied to a testing facility approval

Rules Reference	Condition detail	Expectations
<p>Section 118 – Condition about testing</p>	<p>The holder of a testing facility approval must ensure that any test carried out by the holder of the approval is appropriate for assessing the extent to which a road vehicle or road vehicle component complies with the national road vehicle standards, standards determined by the Minister under subsection 89(2), or both, as applicable.</p> <p>Key considerations about compliance with this condition may extend to matters such as the scientific methods used, quality control and records of testing conditions, reporting of findings and the suitability of testing arrangements.</p>	<p>Must comply with the test requirements as specified in the ADR or other standards, which will always be the primary and most relevant reference.</p> <p>This ensures the test carried out by the holder of the approval is appropriate for assessing the extent to which a road vehicle or road vehicle component complies with the standards.</p>
<p>Section 119 – Condition relating to equipment used to carry out testing</p>	<p>The holder of the testing facility approval must ensure they have, or have access to, technology and equipment to carry out testing under the approval.</p> <p>For each test carried out under the approval, the equipment must be adequate and appropriate for the test, and appropriately calibrated for the test.</p> <p>For each test carried out under the approval, the technology must be adequate and appropriate for the test.</p> <p>Any equipment to carry out testing under the approval must be maintained so that the proper functioning or calibration of the equipment can be verified.</p> <p>The holder of the approval must keep a record of this maintenance for a period of 7 years starting on the day the record is made, and the holder of the approval must provide a copy of the record, when requested in writing by the department.</p>	<p>That the holder of the approval has systems in place that regularly calibrate and measure the equipment and technology used to test road vehicles and components.</p> <p>Equipment is labelled and calibration controls are maintained.</p> <p>Equipment and technology is verified before each test.</p> <p>Measurements and uncertainties are recorded.</p> <p>Data records and procedures confirm equipment is appropriately calibrated, maintained to the required accuracy level and available to all testing personnel.</p> <p>All calibration and maintenance data records are kept in a relevant IT system that can be maintained and accessed for the period it must be kept (7 years).</p> <p>When requested by the department, such records are expected to be made available and in English.</p>
<p>Section 120 – Condition about appropriately skilled personnel</p>	<p>The holder of the approval must ensure appropriately skilled personnel carry out any testing under the approval.</p>	<p>Staff used to conduct the tests understand the requirements of each test and can carry out the tests commensurate with the extent of their training, qualifications, knowledge and experience.</p>

Rules Reference	Condition detail	Expectations
		<p>Supervisors of staff are suitably qualified to oversee the tests.</p> <p>There is a range of academically qualified and skilled staff available to conduct the range of tests for the specific ADRs or standards under the approval.</p> <p>When requested by the department, details about the approval holder's skilled personnel are expected to be made available and in English.</p>
<p>Section 121 – Condition about test reports</p>	<p>The holder of the approval must, after testing a vehicle or road vehicle component under the approval:</p> <ul style="list-style-type: none"> <li>• complete a report on the results of the testing</li> <li>• retain the report (or a copy of it) for 7 years starting on the day that the report is made</li> <li>• provide the report, or a copy of the report, upon written request by the department.</li> </ul> <p>The report must accurately reflect the results of the testing and be sufficiently detailed so that the test could be repeated based on the information contained in the report.</p>	<p>The level of detail of each test report should include:</p> <ul style="list-style-type: none"> <li>• the ADR or standard tested against</li> <li>• which test location the test was conducted</li> <li>• the equipment used</li> <li>• method of testing used</li> <li>• the calibration status of the equipment used is to the manufacturer's specifications</li> <li>• any specific or adverse conditions under which the test was performed</li> <li>• any limitations due to partial standard testing</li> <li>• identification details of the road vehicle or component being tested by part number or design feature</li> <li>• any alternate equipment used</li> <li>• the procedures followed</li> <li>• the results of each test</li> <li>• analysis of results.</li> </ul> <p>When requested by the department, such records are expected to be made available and in English.</p>
<p>Section 122 – Condition about notifying recipients of errors in testing reports</p>	<p>If the holder of a testing facility approval becomes aware of an error in a test report required under subsection 121(1) (see above), they must notify any person to whom the holder gave the report of the</p>	<p>The approval holder is expected to have processes in place that would identify any errors in test reports, or becomes aware of the error. In either case it is the approval holder's responsibility to notify, as</p>

Rules Reference	Condition detail	Expectations
	<p>error as soon as practicable after becoming aware of it.</p>	<p>soon as practicable, all of the clients they have conducted testing for and provided the test reports to use as evidence.</p> <p>It is expected that procedures for the notification of clients or the steps necessary to fix the error can be undertaken.</p> <p>When requested by the department, such records are expected to be made available and in English.</p>
<p>Section 123 – Condition about record keeping</p>	<p>The holder of a testing facility approval must retain a record of all testing of vehicles or road vehicle components conducted under the approval for a period of 7 years, starting on the day the record is made.</p> <p>When requested in writing by the department, the holder of the approval must provide such a record (or copy of the record).</p>	<p>It is expected the approval holder will have a records system in place suited to the capture of all information and test reports as required under the approval, including the capture of:</p> <ul style="list-style-type: none"> <li>• identification details of the road vehicle or component being tested</li> <li>• worksheets, data sheets, full methodology, test equipment used and calibration status</li> <li>• sufficient information to ensure repeatability of the test</li> <li>• original or versioned results and analysis outcomes.</li> </ul> <p>When requested by the department, such records are expected to be made available and in English.</p>
<p>Section 124 – Condition about providing information etc. to the Secretary or an inspector</p>	<p>The holder of a testing facility approval must provide, on written request by the Secretary or an inspector, and within the reasonable time specified in the request</p> <ul style="list-style-type: none"> <li>• the information or documents specified in the request about testing carried out under the approval</li> <li>• any information that the department reasonably requires for the purposes of assessing whether the holder of the approval is complying with the Road Vehicle Standards</li> </ul>	<p>The approval holder is expected to comply with the written request within a reasonable time, as specified in the request.</p> <p>The department aims to work with the approval holder to determine the time it may take to fulfil the request, including the amount of information requested, the urgency of the request, the complexity of the request, whether information is already available and whether fulfilling the request requires a</p>

Rules Reference	Condition detail	Expectations
	<p>Act 2018, the Rules, or an instrument made under that Act or the Rules.</p> <p>The holder of a testing facility must allow or arrange for the department to inspect any of the following:</p> <ul style="list-style-type: none"> <li>• premises where road vehicle components of those vehicles are tested</li> <li>• premises where those vehicles are tested</li> <li>• premises where reports relating to testing under the approval are prepared</li> <li>• things, including documents, associated with the testing process.</li> </ul> <p>The requirement that the holder of the approval must allow or arrange for an inspection is subject to the limitation that the inspection must be for the purpose of assessing whether testing conducted under the approval is being carried out to adequately test vehicles for compliance with the national road vehicle standards, standards determined under subsection 89(2), or both, as applicable.</p>	<p>degree of consideration, research, collaboration or liaison.</p> <p>The approval holder is required to provide any information that the department reasonably requires for the purposes of assessing whether the holder of the approval is complying with the RVS legislation in relation to the testing of road vehicles or components.</p> <p>The information requested is not limited to written material, but may also be made available in video or photographic format, or by other means.</p> <p>The approval holder may also be required to allow or arrange for the department to inspect premises where testing is conducted. Inspection may also extend to things associated with the testing, documents or IT systems and including inspection at third party premises.</p> <p>Access to third party premises, documents or things does not allow the department to directly enter premises of third parties without the consent of the approval holder or the third party. It is expected the testing facility approval holder will facilitate and make necessary arrangements with the third party when requested by the department. If the third party does not allow access, the approval holder may be in breach of this condition.</p> <p>As a request may occur at any time during the period the approval is in force, the approval holder is expected to meet the requirements of the written request. This ensures the integrity of the testing evidence provided by the approval holder and demonstrates the effectiveness of the testing facility approval process.</p>



In addition to standard conditions, a testing facility approval holder may also need to satisfy specified conditions under paragraph 117(a) of the Rules. These may appear separately on the approval, if granted, and relate to the approval holder's specific or unique circumstances.

Example of a specific condition applied to a testing facility approval.

Circumstances – an approval has been granted and the scope of a test is only to part of an ADR or other standard

Specific condition – a specified **Part-standard testing** condition will be applied.

Expectations – when a Part-standard condition is included in the approval notice, it is expected that the approval holder will do all of the following:

- a) communicate in writing to clients prior to testing that their capability is only to test to part of an ADR or other standard
- b) include the scope of the test they are approved for in the testing facility records, and
- c) clearly identify on each test report that the test only applies to part of the ADR or other standard.

## Can I change details in a testing facility approval?

A testing facility approval holder may wish to change details in a testing facility approval, including:

- adding or removing capabilities or locations of their testing facility
- making amendments to the business name or contact details.

To make changes, an approval holder may apply for a variation of their approval through the ROVER portal.

When seeking to vary an approval, additional fees apply, including circumstances where you wish to do any of the following:

- update the evidence provided in connection to the approval that was found to be in error and requires assessment and a decision
- add locations for where testing will occur
- add capabilities under the testing facility approval
- seek to vary, remove or add a specified or unique condition within the approval.

Administrative changes that would not incur a fee when seeking to vary an approval include:


- updating the approval in response to a change to the national road vehicle standards
- removing locations where testing occurs
- removing capabilities under the testing facility approval
- updating administrative details, such as location address or contact details.
- More information about the fee schedule is available at: [infrastructure.gov.au/vehicles/](https://infrastructure.gov.au/vehicles/)

## Application to suspend or revoke an approval

An approval holder may also seek to have their approval suspended or revoked. There is no fee for suspension or revocation of an approval.

If a suspension is requested, the specified time period for the suspension must be included.

The approval holder might request a suspension if they are making substantial changes to their operations, capabilities or access to testing equipment.



During the suspension period, the approval is not in force and, if the testing facility's details are published on the department's website, the testing facility will be highlighted as currently suspended.

A request to revoke an approval means the approval ceases and the testing facility's details will be removed permanently from the department's website.

A new application for approval of a testing facility would need to be submitted if operations start up again after being revoked.

Note: if a testing facility approval holder wishes to vary, suspend or revoke their approval before ROVER functionality has become available to complete these processes, please contact Client Services in the first instance at: [ROVERinfo@infrastructure.gov.au](mailto:ROVERinfo@infrastructure.gov.au)

## Complying with your responsibilities

The department monitors and enforces compliance with the RVS legislation under both the RVSA (applying penalties) and the Rules (obligations of an approval holder). The department aims to encourage voluntary compliance and undertakes informed risk-based compliance activities to confirm compliance with the RVS legislation. These compliance activities may involve:

- asking you to provide information in writing to assess whether you are complying with RVS legislation
- appointed inspectors physically entering premises to confirm compliance with RVS legislation (monitoring powers).

Appointed inspectors may also physically enter premises to gather material at your premises that is evidence of a contravention of RVS legislation (investigation powers).

## What if I don't comply?

Under the RVS legislation, offences and civil penalty provisions apply that cover when a person (individual or company):

- breaches a condition of their approval
- breaches an obligation to provide records after an approval ceases to be in force
- provides a false or misleading declaration
- provides false or misleading information.

If the department identifies non-compliance, our response will be proportionate to the risk being managed. Our response may include issuing infringement notices, applying for civil penalty orders or injunctions, or entering into enforceable undertakings.

# Self-assessment checklist – am I ready to apply?

## Before you register in ROVER

- ✓ Are you an agent or representative of the applicant? If yes, do you have an electronic copy of your authorisation to act on behalf of the applicant?
- ✓ Do you have relevant proof of identity documents as required by the ROVER account creation process?

## Before you start the application for a testing facility approval

- ✓ Are/were you registered as a test facility in RVCS? If yes, do you have your registration number?
- ✓ Do you have a list of all of the ADRs and other standards per location that you will be seeking to test against (at least one must be created for your approval)?
- ✓ Do you have all of the location addresses where you propose to conduct testing?
- ✓ Do you have electronic copies of any national or international testing accreditations relevant to being a testing facility approval holder?
- ✓ Have you identified who will be the primary contact for the approval and their details?
- ✓ Have you considered whether you want the business name and contact details of the testing facilities published on the department's website?
- ✓ Do you meet the eligibility criteria that will ensure you have, or can demonstrate access to technology and equipment to adequately test vehicles and road vehicle components and appropriately skilled personnel to carry out any testing under the approval?
  - Is the technology and equipment that you have, or have access to, suitable to test against the applicable road vehicle standard, i.e. the equipment testing requirements contained within an ADR or standard determined by the Minister under subsection 89(2) of the Rules?
  - Are the measurement, recording and calibration requirements of technology and instrumentation clearly presented in procedures, instructions, checklists or other documents?
  - Do your record keeping processes cover the traceability and quality assurance of equipment, including serial numbers, calibration checks and maintenance data?
  - Do you have, or will have, access to qualified and experienced staff?
  - Are technical supervisors suitably qualified with a proportionate number of trained personnel to cover the range and types of tests?
  - Are staff able to demonstrate, if required, knowledge of testing procedures, maintenance of equipment and able to apply correction factors where necessary?
  - If partial testing has been approved, have the limitations been made clear in all procedures, communication processes with clients and will be clearly noted within test reports?
  - Are the location addresses valid and match the type of test to be conducted?
  - Do you hold relevant and acceptable accreditations?
  - Have you maintained records, if known, of any personnel who have, or may have, contravened road vehicle legislation?
- ✓ Do you fully understand the responsibilities of being a testing facility approval holder and what is expected to comply with those responsibilities throughout the period the approval is in force?

## References and links

This section provides useful links and information relating to RVS legislation:

- [The Road Vehicle Standards Act 2018 \(RVSA\) as amended by the RVSLAA](#)
- [The Road Vehicle Standards \(Consequential and Transitional Provisions\) Act 2018 as amended by the RVSLAA](#)
- [The Road Vehicle Standards Legislation Amendment Act 2019 \(RVSLAA\)](#)
- [The Road Vehicle Standards Charges \(Imposition – General\) Act 2018](#)
- [The Road Vehicle Standards Charges \(Imposition – Customs\) Act 2018](#)
- [The Road Vehicle Standards Charges \(Imposition – Excise\) Act 2018](#)
- [Road Vehicle Standards Rules 2019](#)
- [Australian Government Charging Framework](#)

### Further information

For further information, please contact the department:

Visit: [infrastructure.gov.au/vehicles/](https://infrastructure.gov.au/vehicles/)

Email: [RVSAimplementation@infrastructure.gov.au](mailto:RVSAimplementation@infrastructure.gov.au) (for general RVSA information)

[ROVERinfo@infrastructure.gov.au](mailto:ROVERinfo@infrastructure.gov.au) (for ROVER assistance)

Phone: 1800 815 272 (Monday to Friday, 9am – 5pm AEST, within Australia)

Phone: +61 2 6274 7444 (calling from overseas)

## Glossary of terms

Acronym	Detail	Meaning
AAT	Administrative Appeals Tribunal	Conducts independent merits review of a wide range of administrative decisions made by the Australian Government.
ADR	Australian Design Rule	National road vehicle standards put into effect by legislative instruments pertaining to specific standards for vehicle and road vehicle components.
ECE	Economic Commission for Europe	United Nations Economic Commission for Europe. Applicants seeking a testing facility approval may use ECE certification to meet eligibility criteria.
ILAC	International Laboratory Accreditation Cooperation	International organisation for accreditation bodies.
MVSA	Motor Vehicle Standards Act 1989	An Act to provide for national motor vehicle standards, and for related purposes.
NATA	National Association of Testing Authorities	Accreditation body for laboratories, inspection bodies, calibration services, producers of certified reference materials and proficiency testing scheme providers.
ROVER	Road Vehicle Regulator	The IT operating system for implementing the RVSA.
RVSA	Road Vehicle Standards Act 2018	An Act to provide for the legislation of road vehicles and road vehicle components, to set national road vehicle standards, and for other purposes.
RVS legislation	Road Vehicle Standards legislation	The legislation of road vehicles and road vehicle components, to set national road vehicle standards, and for other purposes.
RVCS	Road Vehicle Certification System	The departmental database for managing approvals for road vehicles and road vehicle components (under the Motor Vehicle Standards Act 1989).
TF	Testing facility	The holder of a testing facility approval may test vehicle or road vehicle components (or both) for compliance with certain ADRs or other standards.