

Australian Government

Department of Infrastructure, Transport, Regional Development, Communications and the Arts



# Guide to component type approvals

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Director – RVS Legislation, Policy and Partnerships Vehicle Safety Policy & Partnerships Branch Department of Infrastructure, Transport, Regional Development, Communications and the Arts GPO Box 594 Canberra ACT 2601 Australia

Email: <u>RVSAimplementation@infrastructure.gov.au</u> Website: <u>www.infrastructure.gov.au</u>

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# Component type approvals and the RVS legislation

Regulating road vehicle components (a component) is key to the Australian Government's ability to ensure Australians are provided with safe, secure and environmentally-friendly road vehicles.

The *Road Vehicle Standards Act 2018* (RVSA), the <u>Road Vehicle Standards Rules 2019</u> (the Rules) and other related legislation are collectively known as the Road Vehicle Standards legislation (RVS) legislation.

Under the RVS legislation, component regulation takes a different approach to the treatment of Component Registration Numbers (CRNs) and Sub-Assembly Registration Numbers (SARNs) registered in the Road Vehicle Certification System (RVCS). When applying for a component type approval you need to meet the eligibility criteria and have an appropriate Quality Management System (QMS) in place.

Also, under the RVS legislation, multiple national road vehicle standards can be included in a component type approval. For example, a rear combination lamp that includes indicator, stop and position lamps can be approved as a single component.

A component type approval is not mandatory. However, there are benefits to seeking a component type approval.

Having a component type approval is a way vehicle manufacturers and importers, or registered automotive workshops can demonstrate that components used in manufacturing or modifying a road vehicle comply with the applicable national road vehicle standards.

See the RVS Glossary of terms for a comprehensive list of RVS terms and their definitions.

## What is a component?

Section 7 of the RVSA defines a road vehicle component as a component used in the manufacture of a road vehicle, including an assembly. It covers:

- a component capable of being assessed for compliance with a national road vehicle standard an Australian Design Rule (ADR) or equivalent standard, or
- an assembly\* of one or more components that can be assessed for compliance with the applicable national road vehicle standards, ADR or equivalent standard. (\*An assembly may be a combination of components that when combined constitute a component.)

It is important that the component or assembly can only be assessed for compliance with a relevant standard independent from an assessment of a broader system included in a vehicle.

#### Examples of vehicle components that meet the definition above

A reverse lamp that meets the test requirements of ADR 1/00 or the alternative standard set out in the ADR.

A bus seat that meets the requirements set out in ADR 68/00. The seat must meet the test requirements for the seat, the mountings, seat belts and child restraint anchorages (as applicable).

The control system, foundation brakes, and suspension system that may be used in conjunction to form a braking system for a heavy trailer that meets the test requirements of ADR 38/--, or as individual components.

Components that cannot be assessed for compliance with an applicable national road vehicle standard, or where no national road vehicle standards or equivalent standards apply to a particular component, are not considered to be vehicle components.

#### Examples that do not meet the definition of a road vehicle component

The retainers used to affix an ADR 1/00 compliant reverse lamp. These components cannot meet the test requirements of an ADR, so are not capable of being assessed for compliance.

An airbag assembly fitted to a vehicle that complies with the occupant protection ADRs. The airbag alone cannot satisfy the test requirements set out in the relevant ADRs, so are not capable of being assessed for compliance.

A brake pad set fitted to an ADR 31/-- or 35/-- compliant vehicle. The pads alone cannot satisfy the test requirements set out in the relevant ADRs, so are not capable of being assessed for compliance.

An incomplete road vehicle may be eligible for a component type approval if it:

- is an assembled part of a vehicle
- resembles a vehicle that does not comply with all applicable standards but could be made to comply with road vehicle standards with further components
- cannot obtain a road vehicle type approval on its own.

### Treatment of a cab chassis vehicle

A cab chassis vehicle is not eligible for a component type approval. Cab chassis vehicles must be entered on the Register of Approved Vehicles (RAV)\* via the <u>vehicle type approval pathway</u>. A cab chassis vehicle may be granted a vehicle type approval because it substantially complies with the applicable national road vehicle standards and the its non-compliance is only in minor and inconsequential respects.

\*Vehicles must be entered on the <u>RAV</u>, an online publicly searchable database of vehicles that have met the requirements of the RVS legislation and approved to be provided to the Australian market.

## What is a component type approval?

Under the RVS legislation, a person may apply to be granted a component type approval of a component that is intended for use in:

- manufacturing a road vehicle that has a vehicle type approval, or
- manufacturing or modifying a road vehicle in accordance with an approved Model Report.

Applicants for a vehicle type approval or an approved Model Report (which is used when modifying a road vehicle) who demonstrate compliance with a component type approval are not required to provide:

- supporting information about the component type approval as it was addressed by the conformity of production details as part of the component type approval process, and
- access to premises to address issues with components covered by their approval.

A component type approval cannot be used to provide completed vehicles as a component. Also, an approved component cannot be added to the RAV.

# Who can apply for a component type approval?

A person (being an individual or company) may apply for a component type approval. This can include a company representative or agent with the relevant documents, information and <u>authority to act</u>, on behalf of the applicant.

The named applicant, not the agent or representative, will be the holder of the component type approval, and remains responsible for meeting all the approval conditions. Penalties may be applied where false or misleading information is submitted or where the conditions of the component type approval are not met.

## Meeting eligibility criteria

The decision maker must be satisfied you meet all of the eligibility criteria under section 177 of the Rules. This means you:

- can demonstrate compliance with the applicable road vehicle standards, or substantial compliance, and any noncompliance is only in minor and inconsequential respects
- have control over the design, componentry and manufacturing process or can demonstrate access to the same controls through a commercial agreement, including control over any changes relating to the design, componentry and manufacturing process
- can assure the design, componentry and manufacturing process will consistently produce the component or system
- can allow or arrange for the premises or components used in the manufacturing process to be inspected for compliance with the applicable road vehicle standards and other requirements
- can access the original and subsequent versions of the supporting information for the approval and provide any required information about it for the period the approval is in force and for 7 years after it expires
- will maintain accuracy and currency of the supporting information for the period the approval is in force
- will comply with all of the conditions the approval will be subject to, and any other requirements under RVS legislation.

## Applying for a component type approval

To apply for a component type approval, you must complete the online application form in <u>ROVER</u>. This includes uploading the required information so your application can be assessed. During the assessment process, ROVER will prompt you with email notifications. You can monitor the status of your applications in ROVER at any time. See <u>ROVER</u> application statuses and notifications for further explanation. Your application must be decided within 60 days.<sup>1</sup>

When applying you must:

- declare that you meet the eligibility criteria
- provide supporting documentation about the eligibility criteria
- identify the national road vehicle standards (ADRs) that apply to the component or assembly/system
- provide supporting documentation and information to demonstrate compliance with the applicable national road vehicle standards (ADRs).

The information provided in your application enables us to:

- identify who is applying and would be granted the approval
- determine whether you (or any key management personnel) have contravened, or may have contravened, road vehicle legislation
- determine the level of control, or access, you have for the design, componentry and manufacturing processes of the vehicle component type or assembly/system
- consider whether you can comply with all of the standard and any specified conditions attached to the component type approval
- if it is granted, publish your component type approval details on ROVER.

<sup>&</sup>lt;sup>1</sup> The definition of a business day under section 5 of the Rules means a day that is not a Saturday, Sunday or a public holiday in the Australian Capital Territory.

**Note:** All documents you upload to an application, provide if requested after submitting your application or after the approval is granted, must be in **English**.

<u>Appendix 1</u>, gives further information on the application process and the information you must include and are expected to provide if asked, including the types of supporting documentation that you may need to upload when you apply. You should note that draft applications that are more than 12-months old and have never been submitted will be automatically deleted regularly.

Use the <u>Checklist for a component type approval application</u> to ensure you have everything you need to complete your application.

#### Supporting information

Defined under section 5 of the Rules, supporting information has information setting out every aspect of vehicle component design and manufacture – including the source material, manufacturing process and equipment used in that process.

Details provided as supporting information for a component type approval may include, but is not limited to:

- test reports, United Nations (UN) approvals or documents that assure compliance to meet an alternative standard listed in the ADRs certification compliance documentation
- manuals or overviews related to the facility that designs and manufactures the component
- materials, invoices and specification documents for any materials used in the manufacture of the component
- procedures for the manufacture and design of the component
- design drawings and specification documentation for the component.

#### Supporting documents that demonstrate control

To meet the eligibility criteria for your application, you must demonstrate that you will have full control over all stages of the design, componentry and manufacturing process, or, have access to information about the design, componentry and manufacture of the component.

You will need to include supporting documentation that demonstrates the type of control you have indicated in your application.

Where an approval holder is using a previously approved component, covered by a component type approval or United Nations (UN) ECE approval, the requirements of the control or access to information about control do not apply.

The applicant's quality system would still need to ensure each component they fit or vehicle they modify continues to be covered by the approval.

#### You have full control

If you indicate that you have full control, we expect you to have processes documented and followed ensure you control all stages of the design, componentry and manufacturing process.

These processes may be documented as part of a QMS accredited by the relevant international certification body. This means you would hold a valid ISO 9001:2008 or ISO 9001:2015 certificate with relevant scope covering the design and manufacture of the vehicle component.

#### ISO 9001 accreditation certificate

The ISO 9001 series provides the quality assurance framework for the design and manufacturing processes within an organisation to operate effectively and ensure that all components will meet requirements, including design change control.

If you do not have an ISO 9001 series certificate, you are expected to support your claim of having full control over the design, componentry and manufacture of the component by having a full QMS with documentation incorporating all of the measures, stages, actions, methodologies, operating instructions and other operating practices and processes that ensure full control over the design, componentry and manufacture.

For details about the expected content of a full QMS, please see <u>Appendix 2</u>. While we expect you to have a full QMS, you are not required to provide a copy when you submit your application.

You will need to read the <u>Quality management system checklist for component type approvals</u> and indicate whether your QMS includes all elements identified in the checklist. However, we may request you to submit the full QMS.

#### You have control through access to information

If you are not the design owner or manufacturer, you will need to upload to your application a copy of the commercial agreement that allows you access to information about the design, componentry and manufacturing process for the component.

You also need to upload a copy of the commercial agreement, contract or written advice that confirms your agreed level of access with the manufacturer.

A written agreement to access the required information is expected to include:

- the component or system that the component type approval will cover
- the relevant parties to the agreement
- · confirmation that the component or system will be manufactured by the other entity
- confirmation that you have access to the design and manufacturing information, and the inclusion of design and manufacture change management oversight
- confirmation that you have access to information and can arrange physical inspection of the design, componentry and
  manufacturing processes to support the component type approval holder's record keeping and to satisfy requests for
  information or inspection by the Secretary or delegated decision-maker
- confirmation that you have access to QMS documentation, engineering documentation, results of testing, change
  management processes and procedures that demonstrate (and ensure ongoing) compliance with the applicable ADRs
- confirmation that you have access to documentation that demonstrates that the component will consistently comply with the applicable ADRs.

Confirmation of information in the written agreement may be clarified in a request for further information if required.

## Compliance with applicable national road vehicle standards

Under paragraph 177(1)(a) and subsection 177(3) of the Rules the Secretary or delegated decision-maker must be satisfied that the type of component complies, or substantially complies, with the applicable national road vehicle standards that are in force at the time the approval is granted.

If you nominate a future date for commencement of the approval, compliance must be demonstrated against the nominated ADRs applicable at that date.

To demonstrate compliance with the applicable road vehicle standards, we expect you to address the specific component compliance information (CI) form for each ADR.

Where compliance cannot be demonstrated within each section of the CI form, additional information can be provided in the comments section of each form.

Details about the requirements to demonstrate compliance with ADRs are covered in Table 1.

Table 1.	How to	demonstrate	compliance	against ADRs.
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In ROVER	What supporting information is expected?
Applicable ADR	You must be able to provide information that demonstrates compliance
In the application, you can select each of the applicable ADRs from menus.	against each applicable ADR, through the selections made in the application and the information provided in the CI form for each ADR selected.
For each ADR, certain information will need to be provided to demonstrate compliance.	Results of testing must be from an RVS approved testing facility. See also <u>Demonstrate compliance using test results</u> .
The type of information provided will depend on the complexity of each ADR	If there are multiple variants of the component, then results of testing must:
and may require more detailed and	cover all of the variants, or
specific information, such as formulas,	<ul> <li>provide separate results of testing for each variant, or</li> </ul>
calculations, uploads and mandatory fields.	<ul> <li>ensure results of testing have followed the worst-case testing guidance.</li> </ul>
Where an applicant seeks approval for a bus chassis, diesel engine or vehicle braking system component type, the applicant must also provide the specifications that will form a data sheet that may be published (this is optional)	(Selection for testing must follow the detailed instructions of how to select the worst-case.)
	If you selected substantially compliant, you will need to upload relevant documentation that supports your case, that the non-compliance is in only minor and inconsequential respects, and consider the following:
with a granted approval. See also, <u>Bus chassis requirements</u> .	<ul> <li>information directly relating to the specifics of the ADR and where the non-compliance has been identified</li> </ul>
You will also need to select whether the component is:	<ul> <li>detailed reasons or circumstances that support that the non- compliance is minor and inconsequential, or</li> </ul>
• fully compliant with the ADR, or	<ul> <li>references to precedents about the nature of the minor and inconsequential consideration.</li> </ul>
• substantially compliant with the ADR.	Failing to provide relevant and sufficient information may result in the:
If substantially compliant is selected, you must also indicate that the non- compliance is in only minor and inconsequential respects and provide supporting documentation.	<ul> <li>assessment process being extended due to the requirement to request further information</li> </ul>
	<ul> <li>the application being refused to be considered, or</li> </ul>
	<ul> <li>the approval being refused to be granted.</li> </ul>
Results of testing	If there are multiple variants of the road vehicle, then results of testing must:
Results of testing must be from an RVS approved testing facility, whether the	<ul> <li>cover all of the variants, or</li> </ul>
testing is to a requirement in the ADR or a	<ul> <li>provide separate results of testing for each variant, or</li> </ul>

• ensure results of testing have followed the worst-case testing guidance

technical requirement identified as an alternative in the ADR, this should be from an approved testing facility. See also, Demonstrate compliance using

test results.

In ROVER
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#### What supporting information is expected?

Selection for testing must follow the detailed instructions of how to select the worst-case. Further guidance is available in ADR specific circulars on the department's <u>website</u>.

#### Approval or other document

Within each CI form, you can select that an approval under the 1958 Agreement is being used to demonstrate compliance.

The legislation also allows the decisionmaker to consider an 'other document' that has been issued by the government of a foreign country that is a contracting party to the 1958 Agreement (or a competent authority of such a government for the purposes of the 1958 Agreement). The applicant must be able to provide a valid copy of the extract relevant to the component from the approval issued by a contracting party under the 1958 Agreement. The extract must indicate the component complies with standards equivalent to the applicable national road vehicle standard.

An extract of the UN approval may also be used to demonstrate partial compliance:

- where the ADR selected is fully harmonised with a UN approval the approval may demonstrate compliance for some variants, while the other variants will rely on results of testing (using worst-case where applicable) to demonstrate compliance.
- where the ADR is not fully harmonised with UN regulations, compliance information will need to be provided in accordance with the specific ADR requirements.

If the ECE approval is for a later amendment to the Regulation, where the Regulation has not been applied by Australia, the applicant will need to provide a declaration that 'complying with the later version of ECE would also comply with the version of ECE accepted in the ADR', before it can be accepted.

ECE approvals can be supplied with a component and submitted as part of an application, commercially sensitive information may be redacted from these documents but sufficient information must remain in the ECE approval to identify the component.

If the document shows that the component complies with a standard that is not a standard identified as an alternative standard in an ADR then you must also demonstrate that the tested standard is equivalent to the ADR requirements.

This information can be entered in ROVER using the declaration option on the CI form and uploading a copy if the document showing compliance with the relevant standards to support the declaration.

If you use an 'other document', it must indicate that the component complies with a requirement applying under the 1958 Agreement AND that that the requirement is the equivalent to the applicable ADR.

# If it is more appropriate to provide declarations, you must ensure you have supporting information or required documentation to support your declarations.

The decision-maker may request you provide certain information or documentation, either after submission or after the approval is granted.

You should use the declaration option if the ECE approval is for a later amendment to the Regulation and the Regulation has not been applied by Australia.

You will need to provide a declaration that 'complying with the later version of ECE would also comply with the version of ECE in ADR', before it can be accepted.

#### Declaration

For particular ADRs, it may be more appropriate to seek a declaration that the road vehicle complies by completing minimum fields as required by the ADR and by you making a declaration that those details are correct.

In ROVER	What supporting information is expected?	
<b>Component type approval</b> Where approved components are used in the manufacture of the component, you can demonstrate compliance with the ADRs by using the RVS component type approval number.	Where an approved component type approval number is used to demonstrate compliance with ADRs in a component type approval, you	
	will need to ensure it is relevant and in force.	
	For example, using a coupling with a component type approval to get a trailer chassis approved including coupling drawbar and brakes.	
Any matter or thing specified in an applicable national road vehicle standard	You must have relevant documents supporting the requirement specifically listed in the ADR.	
In each CI form, you can select that the ADR specifically allows for something – for example, other information or approval – to be used as the basis for compliance. You must upload documentation supporting the claim.	Uploading all the relevant information will ensure the assessor is not required to pause the application's assessment to request further information.	
	This method is only applicable where the ADR refers to something that is acceptable such as the calculations identified in ADR 38/05 and ADR 62/02.	
	If testing to the technical requirements of an alternative standard then this will be entered as test results from an approved testing facility.	

### Demonstrate compliance using test results

One option to demonstrate compliance is the results of testing. As detailed in Table 1 above, you can either:

- provide the results of testing undertaken by an <u>RVS approved testing facility</u> (including results of testing undertaken by the test facility before it was granted RVS testing facility approval), or
- provide an approval or other document issued by a foreign government that is a contracting party to the 1958
   Agreement, or by a person who is a competent authority of such a government for the purposes of that agreement.

When using the results of testing to assess compliance with an ADR, the matters considered will be from either, test results from an RVS approved testing facility, or a UN approval.

If you are conducting testing other than to obtain a UN approval, it must be performed by an approved testing facility, even if testing to the technical requirements of an alternative standard.

#### Test results conducted under RVCS registration

If you are applying for an approval for a component covered by a CRN, or a sub-assembly covered by a SARN registered in RVCS, relying on results of testing and cannot provide results from an RVS approved testing facility, in your application you must declare that:

- the facility that performed the testing no longer exists or is unable to meet the criteria to become a RVS approved testing facility
- the information in the test report is current and includes all the information required by the relevant national road vehicle standards
- the component complies with the national road vehicle standards (or substantially complies and the non-compliance is only in minor and inconsequential respects or to a minor and inconsequential extent)
- the component being produced at the time of the application is identical to the component tested in the test report
- there is no safety benefit in re-testing the component.

The following information must be provided in your application:

• a copy of the test report from the RVCS registered test facility

- information demonstrating that the test facility (where the testing was performed) no longer operates or is unable to meet the criteria to become a RVS approved testing facility
- information demonstrating that in the component tested, the design elements relevant to compliance with the ADRs are identical to the component to be covered by the component type approval
- information demonstrating that testing the component at a RVS approved testing facility, as well as using the results
  of testing already done, would not provide any additional safety, environmental or anti-theft benefits. This
  information must include a record of all field service feedback relating to the component and rectification action
  taken
- cost details and the estimated timeframe for testing, if undertaken by a RVS approved testing facility.

A decision will be made after considering all information provided, including whether the component complies, or substantially complies, with the national road vehicle standards. If a decision-maker is not satisfied on the basis of the information provided, they may:

- request further information to assist in deciding whether to grant a component type approval. This could be results of testing from an RVS approved testing facility or additional information about matters declared, or
- refuse to grant a component type approval.

#### Using test results from an RVCS registered test facility.

To apply for a component type approval using test results from an RVCS registered test facility, your application must align with the position outlined in the <u>Position paper – Component type approval – test reports not completed by an RVS</u> <u>approved testing facility</u>.

If your application aligns with the position paper and you have all of the relevant information and supporting documentation outlined above, you can enter the exemption code **TFA 924328** as the testing facility number in the CI form in ROVER, shown below:

Test report details	$\odot$
Test Report Date (dd/mm/yyyy) *	
Test Report Number *	
Testing Facility Number	<b>TFA</b> 020000
Validate	
Provide any further related supporting information	

#### **Bus chassis requirements**

Manufacturers of ME category (heavy omnibus exceeding 5.0 tonnes) vehicles may use a bus chassis component type approval to demonstrate compliance with the applicable national road vehicle standards relevant to the chassis components of the bus.

To be granted a bus chassis component type approval, you must provide information demonstrating compliance with the testing requirements for each ADR relevant to the bus chassis. The bus chassis will be treated as a component.

A vehicle type approval applicant may then use the bus chassis component type approval along with other information demonstrating compliance with ADRs unrelated to the bus chassis, to demonstrate compliance with the ADRs covered by the component type approval for the completed vehicle.

The specific information needed in a bus chassis component type approval application includes details about:

- the minimum mass and gross vehicle mass (GVM) specified by the applicant
- maximum permissible axle loads
- wheel base specifications
- engine make, typical number and location, and technical data
- transmission details.

By providing the above information, a bus chassis component type approval holder can supply bus chassis vehicle type approval applicants with compliance information for their application. A bus chassis approved as a component is not required to be fitted with a plate to identify the minimum and maximum approved parameters. However, an approval holder may choose to fit a plate to supplement and support the requirement to supply fitting instructions.

#### **Data sheets**

The department can publish data sheets for individual component type approvals using the technical specifications submitted in the application. Data sheets are generally produced for a component type approval that will be used as part of a system. For example, individual component type approvals that are combined to construct a heavy trailer braking system, such as control systems, foundation brakes, suspension systems and total trailer brake systems.

#### Low ATM trailer components

Low aggregate trailer mass (ATM) trailer component manufacturers can assist vehicle manufacturers by having their components approved and supplying instructions on using their component in a trailer. Components that only comply with a section of the ADR must be tested/show compliance to the sections applicable to a component of that type. Examples of the types of components and the information expected in an application are in the following sections.

#### Low ATM trailer drawbar

The drawbar assembly test report must be attached to the application. The test report must clearly identify all the parts attached to the drawbar. For example, it must show that the drawbar is attached to a chassis or a trailer and safety chain (safety chain attachment point test results must be included).

The test report must show photos of the test setup and include relevant ADR clauses and test results to confirm that the component meets all the relevant ADR clauses. Drawings of the drawbar assembly must be included as part of the test report or as an attachment.

A drawbar test may show compliance for multiple configurations as long as the worst case is identified, justified and tested by the manufacturer. We expect the safety chain to meet the appropriate strength and marking requirements as per the ADR.

#### Low ATM trailer drawbar using an FEA report

Finite element analysis (FEA) may be used to demonstrate that a drawbar meets the strength and fatigue resistance requirements of section 14.2 of ADR 62/02. Details are available in <u>Guidance note—What is an approved calculation for ADR 62?</u>

The FEA report must clearly identify all the parts attached to the drawbar. For example, the analysis must include the drawbar and attachment to the chassis or substantial structural member of the trailer and the safety chain (safety chain attachment point test results must be included).

The FEA report must show the drawbar assembly and include relevant ADR clauses and test results confirming that the component has met all the relevant ADR clauses. A drawing of the drawbar assembly must be included as part of the FEA report or as an attachment. We expect the safety chain to meet the appropriate strength and marking requirements as per the ADR.

## Safety chain (only) application using an RVS approved test facility

The safety chain test report must be attached to the application. The test report must show some photos of the test setup and include relevant ADR clauses and test results confirming that the component meets all the relevant ADR clauses or specifics of the standard the chain has been tested to. A drawing of the safety chain must be included as part of the test report or as an attachment, to confirm the chain size and marking requirements.

#### ADR 38/05 brake component type approval information

Low ATM trailers exceeding 750kg gross trailer mass (GTM) that are not designed to be used behind a drawing vehicle with a maximum speed less than 50km/h, must be equipped with an 'efficient' service brake system.

The application for a service brake system must include all components of the system that transfer energy and/or information supplied by the towing vehicle into a force that restrains the vehicle movement. An application for a hydraulic brake system would also include the coupling and master cylinder to be able to meet the ADR requirement.

The following examples could be used to demonstrate 'efficient' braking:

- test results to UN Regulation 13, identified as an alternative standard in section 23 of ADR 38/05. The test report must be from an approved testing facility or the UN approval must be provided, or
- test results using the performance requirements applicable to trailers over 4.5 tonnes identified in sections 8, 11, 12, 13, 14 and 23 of ADR 38/05. The test report must be from an approved testing facility, or
- test results to the requirements determined by the manufacturer, that may be based on other international low ATM trailer braking regulations and/or on-road low ATM trailer braking regulations in Australia. The test report must be from an approved testing facility.

The component type approval application should ideally have a copy of the test report attached to the CI form that includes evidence of compliance with clauses 1 through 5 (if applicable) of ADR 38/05.

The evidence provided to demonstrate compliance with clause 5.1 of ADR 38/05 should include evidence demonstrating that the component can progressively increase and decrease the braking force using the 'Control Signal' from the towing vehicle (with the exception of trailers equipped with an over-run braking system). If clause 5.4 of ADR 38/05 applies, the information above can also be used to demonstrate that the 'Emergency Brake System' is 'efficient'.

The fitting instructions provided to the component installer must make any limitations clear to a component user. For example, tyre size, suspension compatibility, weight limits and any applicable requirements in ADR 38/05 section 5 that need to be met, depending on the GTM of the final trailer and the number of axles.

#### **Component fitting instructions**

You do not have to provide fitting instructions in your application. A condition of a component type approval is that the approval holder must provide use or installation instructions with the component. The installation instructions, if followed correctly, ensure the component is installed according to the applicable national road vehicle standards.

If the component is only compliant with the section of the ADR applying to a component of that type, the fitting instructions must be clear that it should be combined with other components for a vehicle to comply with the ADR. When a component is provided, the approval holder must ensure the latest version of the instructions is made available to the component installer.

# What if I had a CRN or SARN in the RVCS?

If you held a CRN or SARN in the RVCS and you want to supply approved components to vehicle manufacturers, you can apply for a component type approval. In some circumstances you can still use CRNs and SARNs for some RVS approvals.

Under <u>transitional arrangements</u>, which ceased on 1 July 2023, some MVSA approval holders opted to have their MVSA approval made a vehicle type approval under the RVSA. Opted in vehicle type approvals remain in force for 5 years.

MVSA approval holders who <u>opted-in</u> can continue to reference CRNs and SARNs in their MVSA approval to support their RVSA approval.

Since 1 July 2023, only RVS component type approvals can be used to demonstrate compliance for a new application for a vehicle type approval.

If an opted in vehicle type approval used CRNs or SARNs as evidence under the MVSA and a <u>variation to the approval</u> is needed because the CRN or SARN no longer meets the standards, a component type approval must be used to demonstrate compliance with the national road vehicle standards.

# Can I change details in my application?

ROVER allows you to save your application, exit and return to your saved work until you submit it. If you need to amend your application after submitting it, but before paying the fee, you can withdraw, amend and resubmit, or delete it.

You can also <u>withdraw an application</u>, amend and resubmit or delete it after you have submitted and paid the fee if its status in ROVER is 'Paid—Awaiting Assessment', or 'Assessment in progress'. The ROVER guide, <u>How to withdraw, amend and resubmit or delete an application</u> explain how. As your application progresses toward a decision, you can view the <u>status of your application</u> in ROVER.

If an approval has been granted, then you need to apply to vary the approval (see <u>Can I change details in a component</u> <u>type approval</u>?).

## What happens when my approval is due to expire?

Component type approvals expire 7 years from the start date shown in the approval notice, unless revoked earlier. When the approval expires, you must not represent that the component is an approved component, unless a new component type approval is granted.

You will be notified via ROVER before your component type approval is due to expire. You can then use ROVER to reapply. If you re-apply and the approval is granted, it will have the same RVS approval number. The approval notice will confirm the date it comes into force and the new expiry date.

You will have the option to request a future date of effect. This streamlined process reduces the burden on approval holders and lets them re-apply well before their approval expires. However, if your requested date of effect is before the new approval is granted, the date of effect will be the date the approval is granted.

# How we will assess your application?

## What we do with the information provided

We will assess your application against the eligibility criteria, as set out in section 177 of the Rules, in addition to other considerations and relevant matters under section 178 of the Rules.

A recommendation will then be made on whether to grant or refuse an approval.

We will consider:

- who is seeking the approval and any previous CRNs or SARNs in the RVCS
- the vehicle component type or system of components (assembly)
- the level of compliance with the applicable standards (fully complies or substantially complies)
- the level of control over the design and manufacture of the component (full control or access to information through an agreement).

Providing insufficient or incorrect information with your application, or not complying with a request made by the department, may result in your application being refused to be considered.

To satisfy the requirements for granting a component type approval, a consistent approach is used to assess:

- the required declarations
- all the information and supporting documents submitted with the application
- technical information provided in the CI forms to demonstrate compliance with applicable ADRs
- · any additional information you provided when requested by the department
- any other matter considered relevant to your application.

The assessment focuses on the information, declarations and supporting documents submitted with your application. It is therefore important that your application provides enough detail to allow a decision to be made.

If you use results of testing, we expect the testing to establish compliance for all component variants. For example, at least one worst-case component must have been physically tested for compliance with the applicable ADRs. The results of testing should demonstrate the same compliance for each component produced.

Additionally, if there are multiple variants and each is different across a range of respects, more than one worst-case test may need to be undertaken. Each test result will need to be provided to demonstrate compliance for each variant.

We expect that you will have controls in place across all stages of the design, componentry and manufacture of components, directly through your own controls, or indirectly through arrangements allowing you to have the appropriate processes in place.

Being able to control all stages or having access to information through an agreement, ensures that the design, componentry and manufacturing process will consistently produce the component that is subject of the approval.

More details about what we expect you to have in place to address all of the eligibility criteria and assessment considerations are detailed in <u>Appendix 1</u>.

## Requests for further information or inspection

During the assessment, you may be asked to provide more specific information to help reach a decision. You may also receive a request to inspect premises where the component is designed or manufactured, or to inspect components used in the design or manufacture of the component, to further assess aspects of the application.

You will receive a notification, giving details about the request for information (RFI) or inspection and explaining what information needs to be provided and when. We will contact you to arrange a suitable inspection time.

If you receive a request for further information or inspection, you will be given 30 business days, or a longer time as specified in the request, to respond. The time to decide the application is paused until all the requested information is supplied or the inspection is completed. For example, a longer period may be allowed if the RFI is complex or detailed, or the inspection is at premises located overseas.

The status of the application will be updated to 'on hold-query pending' while you respond to the RFI.

The assessment will resume once the RFI or inspection has been completed. The application status will be updated to 'in progress'. Responses to RFIs will be considered when deciding whether to grant the approval.

## Deciding an application for a component type approval

The decision-maker will consider specific criteria they must be satisfied with when deciding your application for a component type approval. These are set out in sections 177 and 178 of the Rules.

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

The decision to grant a component type approval notice will clearly indicate the type of component, the applicable standards and extent of compliance to which the approval applies, including the information and documents used to demonstrate evidence of compliance.

If the approval is decided under substantial compliance, then the approval notice will outline the extent and nature of the non-compliance that is in minor and inconsequential respects. This may also include a specified condition to address the nature of the non-compliance.

When you apply, you can specify a start date for the approval. This can be within the 60 business days but if the approval is granted after this date, the decision date will be the approval starting date. You can also specify an approval commencement date beyond the 60 business days. This allows you to apply well in advance of the date you would like the approval to become effective.

#### What happens if we refuse to consider your application

Applications need to be submitted through ROVER, include all relevant information and the appropriate fee must have been paid. We may <u>refuse to consider</u> an application if, it is not in the approved form and accompanied by the application fee, does not include all the relevant information or if requests for further information or inspection have not been met.

This means the application is not assessed and no decision is made to either grant an approval or refuse an approval. You will be notified if there is a decision to refuse to consider your application. When a request for further information or an inspection has been made, you can submit relevant details or allow an inspection, to support your application.

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.

## Publishing component type approvals

Under section 228 of the Rules, the details for each component type approval that is in force is published on <u>ROVER</u>, including:

- the name and contact details of the component type approval holder
- a copy of the current approval
- a copy of each previous version of the approval, if applicable.

# Approval numbering

When an approval is granted, ROVER automatically generates a unique component type approval number.

If you indicated that you held a previous CRN or SARN in the RVCS for the same component and you want to keep that number, that number can be incorporated into the component type approval number. This provides continuity of the existing numbering protocols.

If the application is for a new component type approval, ROVER will generate a new approval number, allocated sequentially starting from CTA060000.

If you re-apply before the previous component type approval expires, your new component type approval will have the same approval number.

The approval notice will indicate the date it comes into force and the updated expiry date.

# Approval holders' responsibilities

A component type approval holder has important responsibilities. These will appear as standard and specified conditions detailed within the approval notice.

Conditions relating to a component type approval fall under section 184 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 <u>Complying with your responsibilities</u>.

# Summary of responsibilities

Component type approval holders must ensure:

- the component or system complies with the applicable road vehicle standards in force at the time it is provided for use or installation in a road vehicle
- conformity of production systems are maintained
- requested information or inspections are responded to appropriately
- records of the original and any subsequent versions of supporting information are kept up to date for the period the component type approval is in force and for 7 years after it expires or is revoked
- installation instructions provided to an installer must be the latest version and appropriately detailed to ensure compliance with the applicable ADRs.

As an approval holder, you must comply with all of the conditions of your approval. In addition to standard conditions, you may also need to satisfy any specific conditions under paragraph 183(a) of the Rules. These may appear separately on the approval notice and relate to your specific or unique circumstances.

All component type approvals are subject to specified conditions related to recall action of the approved components and you must <u>report to the department</u> any:

- recall action you become aware of being undertaken outside of Australia
- systemic safety or non-compliance issues.

More details about our expectations for each standard and specified conditions are listed in Appendix 3.

## Can I change details in a component type approval?

You can make administrative updates to your approval, such as contact name and address.

You can also apply to vary your component type approval where you need to:

- update the approval in response to a change to the national road vehicle standards
- update the approval to include additional national road vehicle standards (bus chassis component type approvals only)
- update information about the supporting information or versions of documents previously submitted
- seek to have a specified condition varied, removed or added
- correct information relating to other aspects of the approval.

You can <u>apply to vary your approval</u> in ROVER. <u>Appendix 4 – What you can and cannot apply to vary</u> provides more details.

### What if there are technical specification changes to the component?

A technical change to the vehicle component may occur where the component has been used in combination with other components or systems and results in:

- an increase or decrease in a specification or value resulting in a new worst-case
- a change to physical fitment/dimensions or change in the material used in construction
- a change in compatibility with other components or interface (different voltage/plug type/sensor requirements).

An assessment must be made to decide if the technical changes affect compliance of the component as a whole when used in combination with other components or systems. In these instances, an approval variation would not be granted and a new component type approval application will need to be submitted.

#### Example of an application for a component type approval variation being refused

The component type approval applies to a control system for ADR 38/XX. The control system combines with an approved suspension system and an approved foundation brake to provide evidence of compliance to satisfy the ADR.

Changes to the input/output ratio or other performance characteristics of a control system would affect the compliance of the system as a whole. But, the changes to the individual component type approval itself may not make it non-compliant.

The control system component type approval holder may not be aware of all of the combinations where a particular approved component is used and cannot be sure the change does not cause some applications of use to deviate outside compliance limits of the ADR.

## Request to suspend or revoke an approval

An approval holder may seek to have their component type approval suspended or revoked. You can initiate to suspend, end a suspension or revoke an approval from your list of approvals in ROVER. There is no associated fee.

You may request a suspension if you are making substantial changes to your business operations. You can specify the timeframe or select a date when the suspension should start and end. During the suspension period, the approval is not in force and, the published list of component type approvals will show that the relevant approval is 'Suspended'.

A request to revoke an approval means that the approval is ceased and identified as no longer in force on the list of published component type approvals in ROVER. You will need to apply for a new component type approval if operations start up again after being revoked.

#### Automatic suspension of a component type approval

A component type approval will be automatically suspended in certain circumstances when new or amended national road vehicle standards (ADRs) are introduced. These circumstances are listed in section 202 of the Rules, and include:

- an ADR is amended, or
- a new ADR is made, and
- the amended or new ADR would affect the requirements that apply to the component covered by a component type approval, and
- the Secretary or their delegate has not approved a variation of the approval (on application by the approval holder), or decided that a variation to the component type approval is not necessary.

The applicability time of the amended or new ADR that may impact your component type approval will be released well in before it commences. To maintain accuracy and currency of your approval you will need to:

- provide evidence demonstrating compliance with the amended or new ADR, or
- apply to vary the component type approval in response to the change to the ADR, demonstrating that the component already complies with the new or amended ADR.

You will be notified in writing of the suspension, including the suspension start date. You will be notified again when the variation is approved, or a variation is considered it is not necessary because the component type approval already complies with the new or amended ADR.

If an automatic suspension occurs, the component type approval will be marked as suspended on the publicly available list of component type approvals on ROVER, until it is varied or revoked.

## Recalling a component

The RVS legislation sets out the framework for the voluntary or compulsory recalls of approved components due to safety issues, or where non-compliance with the national road vehicle standards is identified. The objective is to ensure safety or non-compliance issues are resolved effectively and in a timely manner. Circumstances for compulsory and voluntary recalls are covered in Table 2 below.

Recall type	Reason for recall
Voluntary recall The supplier must notify us within 2 days of taking recall action	<ul> <li>an approved component will or may cause injury to any person, or</li> <li>a reasonably forseeable use of a component may or will cause injury to a person, or</li> <li>the component does not, or it likely does not meet the applicable national road vehicle standards.</li> </ul>
Compulsory recall The Minister must issue a compulsory notice	<ul> <li>an approved component will or may cause injury to any person, or</li> <li>a reasonably foreseeable use of a component will or may cause injury to a person, or</li> <li>the component does not, or it likely does not meet applicable national road vehicle standards,</li> <li>and it either appears that:</li> <li>one or more suppliers of vehicles or components have not taken satisfactory action to prevent the vehicles or components from causing injury to a person, or</li> </ul>
	<ul> <li>suppliers have not acted to rectify any non-compliance with the national road vehicle standards when it has been identified that the component does not, or it likely does not meet applicable national road vehicle standards.</li> </ul>

#### Table 2. Reasons for voluntary and compulsory approved component recalls

**Important:** In a recall action, the **supplier** of an approved component is generally the original equipment manufacturer, or their Australian representative, as they are best placed to undertake recall action. However, in the case of approved components, it may be the component type approval holder who is best placed in the supply chain to undertake recall action.

# Your responsibilities as an approval holder

We monitor and enforce compliance with the RVS legislation. However, we encourage voluntary compliance. We carry out informed, risk-based compliance activities to confirm approval holders are complying with the RVS legislation.

This 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 evidence of a contravention of RVS legislation (investigation powers).

Under the RVS legislation, offences and civil penalty provisions 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 we identify 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.

# **Further information**

For further information, please visit the department's website or submit an online enquiry.

# Quick links

- <u>RVS legislation and determinations</u>
- <u>ROVER application statuses and notifications</u>
- What are the RVS fees and charges?
- What are RVS decision-making timeframes?
- How is my personal and commercial information in ROVER managed?
- Quality management system checklist for a component type approval
- <u>Checklist for a component type approval application</u>.
- <u>Guide to component type approvals—Appendix 1—Information required in an application</u>
- <u>Guide to component type approvals—Appendix 2—Details expected in a quality management system</u>
- Guide to component type approvals—Appendix 3—Expectations for the conditions applied to an approval
- <u>Guide to component type approvals—Appendix 4—What you can and cannot apply to vary.</u>