

➤ Guide to concessional RAV entry approvals

October 2024

© Commonwealth of Australia 2024
October 2024 / INFRASTRUCTURE 2024

Ownership of intellectual property rights in this publication

Unless otherwise noted, copyright (and any other intellectual property rights, if any) in this publication is owned by the Commonwealth of Australia (referred to below as the Commonwealth).

Disclaimer

The material contained in this publication is made available on the understanding that the Commonwealth is not providing professional advice, and that users exercise their own skill and care with respect to its use, and seek independent advice if necessary.

The Commonwealth makes no representations or warranties as to the contents or accuracy of the information contained in this publication. To the extent permitted by law, the Commonwealth disclaims liability to any person or organisation in respect of anything done, or omitted to be done, in reliance upon information contained in this publication.

Use of the Coat of Arms

The Department of the Prime Minister and Cabinet sets the terms under which the Coat of Arms is used. Please refer to the Commonwealth Coat of Arms - Information and Guidelines publication available at http://www.pmc.gov.au.

Contact us

This publication is available in hard copy or PDF format. All other rights are reserved, including in relation to any departmental logos or trademarks which may exist. For enquiries regarding the licence and any use of this publication, please contact:

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: RVSAimplementation@infrastructure.gov.au

Website: www.infrastructure.gov.au

Contents

What is a concessional RAV entry approval?	
Who can apply?	4
How to apply	4
Eligibility criteria requirements	5
Declarations	11
Can I change details in my application?	11
How we will assess your application	12
Requests for further information or inspection	12
Approval numbering	12
Refusing to consider an applicaiton	13
Approval holders' responsibilities	14
Can I change details in an approval?	14
Request to suspend or revoke an approval	14
Monitoring compliance with your approval	15
Further information	16
Ouick links	16

First published May 2021

Updated January 2022 – ROVER icon images and 'Further information' section updated.

Updated March 2022 – Damage and corrosion information added to page 5 and additional compliance information for trailers added to page 11.

Updated April 2022 – New transition period timeframe for special purpose vehicles added.

Updated July 2022 – Updated to include withdraw, amend and resubmit details.

Updated January 2023 – URL links updated, clarification of build date for vehicles to be modified by a RAW, clarification of ADR applicability for concessional RAV trailers and selecting extent of compliance where further testing is required for a trailer or special purpose vehicle.

Updated April 2023 – Includes information about submitting multiple identical vehicles on an application.

Updated December 2023 – Language simplified and self-assessment checklist removed and published separately.

Updated April 2024 – Updated supporting documents that can be included in a Personal Effects application.

Updated May 2024 – Updated supporting documents that can be included in a Personal Effects application.

Updated October 2024 – Updated last bullet point on page 9 for the 'Trailers' criterion.

What is a concessional RAV entry approval?

The concessional RAV entry approval pathway allows a vehicle or small number of vehicles to be provided to the Australian market for use on public roads for the first time.

The Register of Approved Vehicles (RAV) is a publicly searchable online database of vehicles that have been approved for provision to the Australian market. Once entered on the RAV, a vehicle can be registered by a state or territory registration authority (pending the regulatory requirements of the particular state or territory).

Through the concessional RAV entry approval pathway, you may apply to enter a single vehicle or up to 30 identical vehicles as part of a single application. The exception is trailers where up to 4 identical trailers can be included in one application.

Important: A concessional RAV entry approval is also taken to be an import approval for that vehicle. This allows vehicles from overseas to be <u>imported into Australia</u> and entered on the RAV.

A concessional RAV entry approval allows for:

- used motorcycles, <u>specialist and enthusiast vehicles</u>, and vehicles to undergo second stage of manufacture (SSM) to
 be imported and entered on the RAV, conditional on them being modified and verified to ensure they comply with the
 applicable standards.
- vehicles 25 years or older of certain vehicle categories to be imported and entered on the RAV.
- allows for special purpose vehicles that cannot comply fully with the applicable national road vehicle standards
 because of their intended purpose to be imported or manufactured and entered on the RAV if they comply with those
 standards to an extent that makes them suitable for use on public roads in Australia.
- migrants settling in Australia and expatriate Australian citizens returning permanently to Australia (after a long period overseas) to bring their personal vehicle with them if they meet the necessary criteria.
- importation or local manufacture of up to 4 trailers with an aggregate trailer mass (ATM) of 4.5 tonnes or less (<u>low ATM trailers</u>) as well as 4 trailers with an ATM of more than 4.5 tonnes (<u>high ATM trailers</u>) in a 12-month period. These vehicles are also added to the RAV.
- flexibility on a case-by-case basis for a vehicle which is suitable for entry on RAV but does not meet a specific eligibility criterion to be granted an import and RAV entry approval).

Who can apply?

Any person (including an individual or a corporation) can apply for a concessional RAV entry approval. However,

- vehicles to be modified by a registered automotive workshop (RAW), the person must have access to a Model Report covering the vehicle; and
- importing vehicles as personal effects, the applicant must be the individual owner as a corporation could not meet requirements about living outside of Australia and migrating to Australia.

How do I apply?

You must complete the online application form in <u>ROVER</u>, the department's applications and approvals portal. You will need to provide and upload the required information, and pay the appropriate charge before your application can be assessed.

All applicants or their representative must first <u>create a user account in ROVER</u>. If an agent or company representative submits the application on your behalf, they must have the relevant documents, an <u>authority to act</u>, and the information required to satisfy the application's eligibility criteria.

The <u>fees</u> reflect the actual cost of processing applications. For applications covering multiple identical vehicles, only one application fee is charged but includes a RAV-entry charge for each individual vehicle.

The department must decide your concessional RAV entry approval application within 30 business days¹ after receiving the application. This is a <u>legislated requirement</u>. If a request further information or an inspection of premises is needed, the time to decide may be longer.

Eligibility criteria requirements

The department needs to be satisfied that the applicable eligibility criteria is met. This means the vehicle / applicant can satisfy the requirements of one of the following concessional RAV entry approval types:

- older vehicles
- vehicle to be modified by the holder of a RAW approval
- special purpose vehicle
- personal effects
- trailers
- vehicle suitable for entry on the RAV.

Table 1 sets out the approval criteria for the concessional RAV entry approval types and information you can use to demonstrate compliance.

Table 1. Approval criteria for the different concessional RAV entry approval types.

Criterion	What is required
Older vehicles	Vehicle details
This criterion allows vehicles to be added to the RAV that are passenger cars, vans,	Provide photographs of the vehicle, including the Vehicle Identification Number (VIN) or chassis number.
	For light commercial vehicles, you also need to provide credible documentation that shows the vehicle's GVM is under 3,500 kg.
motorcycles and light commercial vehicles	The vehicle was built more than 25 years ago
(less than 3,500 kg gross vehicle mass (GVM)) originally manufactured (or significantly modified) at least 25 years before the application was made.	You need the vehicle's year of manufacture. If the month cannot be demonstrated, the application defaults to December.
	Information showing the vehicle's build date can include the original sales document, a deregistration certificate from certain countries, and/or a photograph of the VIN.
	If the vehicle has been significantly modified, show that the modifications were completed more than 25 years ago
This criterion is not intended to cater for vehicles that need	For a car or light commercial vehicle, significant modifications include:
	body modifications

¹ 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.

significant restoration to become suitable for use on a public road (non-RAV entry import approvals should be used for this until the vehicle is suitable for road use) or new replicas of old vehicles, even when bearing the identification of the older vehicle.

What is required

- · chassis modifications
- modifications to the drivetrain
- braking modifications
- steering conversion.

For a motorcycle, significant modifications include:

- modifications to the frame
- modifications to the drivetrain.

You will need to include information about the type of vehicle modifications, date(s) they were performed and additional supporting material, such as photographs of each significant modification and material to support the date of each listed modification.

Vehicles to be modified by a RAW approval holder

This criterion allows vehicles on the Specialist and Enthusiast Vehicles (SEVs) Register, used motorcycles and vehicles on the RAV subject to second stage manufacture (SSM), to be added to the RAV.

This is subject to the vehicle being modified or manufactured in accordance with an approved Model Report and verified by an authorised vehicle verifier (AVV).

Eligibility for a vehicle being modified a RAW

Provide a statement that one of the following apply:

- the vehicle is covered by an entry on the SEVs Register.
- the vehicle is a used two- or three-wheeled vehicle.
- the vehicle is entered on RAV via the type approval pathway, has not been provided for the first time in Australia and will be subject to SSM.

For a vehicle covered by an entry on the SEVs Register, the SEVs Register entry must be current.

The build date of the vehicle must be within the SEVs Register build date range. This date is generally checked using online decode sites. Where the chassis or Vehicle Identification Number (VIN) cannot be decoded, the department may request evidence of build date, especially if the vehicle is built near the start or end of the SEVs Register eligibility date range.

A vehicle subject to SSM will need to have a VIN that is already on the RAV.

They also need to comply with damage and corrosion requirements. If your vehicle has been damaged (including repairs to damage) or has corrosion (including repairs to corrosion), you should consult with a RAW about what is allowed.

Vehicle ownership

Provide proof that you own or intend to own the vehicle. This may consist of such things as a purchase document or signed contract.

Proof of ownership is not required for vehicles subject to SSM.

You have, or are able to access, an approved Model Report that applies to the vehicle.

Select the Model Report to be used as it relates to the make, model and variant of the vehicle. Provide the name of the Model Report approval holder. Please note that a list of approved Model Reports is available in ROVER.

Include a statement naming which country the vehicle is being imported from.

Special purpose vehicles (SPVs)

This criterion allows non-standard vehicles, that perform a special

The vehicle complies with national road vehicle standards to an extent that makes it suitable for use on a public road

Letter of in-principle support from the National Heavy Vehicle Regulator (NHVR) or state or territory registration authority where the vehicle will be used. Please note that the in-principle support is not required where the

approval.

purpose, to be added to the RAV where the vehicle is a used vehicle or the applicant is unable to meet additional supporting material requirements for a vehicle type

SPVs have been provided with discretionary relief from 1 July 2021 to 30 June 2024. Refer to the Special purpose vehicle guidelines.

Note: Special purpose vehicle applications can include a single road vehicle or up to 30 identical vehicles.

You can add a different build date for each vehicle if the date range does not change ADR applicability for the vehicle category.

What is required

extent of compliance is within the allowance published in a gazette notice on the NHVR website – the notice must be applicable for the intended location of use.

Between 1 July 2023 and 30 June 2024

You must demonstrate compliance with Australian Design Rules (ADRs) applicable to brakes, lights and mirrors.

For special purpose trailer applications, you must demonstrate compliance with ADRs applicable to brakes, lights and mechanical connections.

From 1 July 2024

If the vehicle does not comply with all the applicable national road vehicle standards, you will need to identify the ADRs the vehicle does not comply with

If the vehicle would not be able to operate for the purpose for which it was designed if it complied with national road vehicle standards, you will need to provide a:

- statement that the vehicle would not be able to operate for the purpose for which it was designed if it complied with national road vehicle standards
- description of how modification or different design of the vehicle (to make it compliant with national road vehicle standards) would mean the vehicle could not operate for this purpose.

This should be specific to each standard with which the vehicle does not comply.

Compliance information for each applicable ADR

If you cannot provide compliance information because the vehicle needs to be tested when it is in Australia, you can identify the ADRs that need testing or select 'compliance to be confirmed after importation' in the 'Extent of compliance' section of the application. A condition will be added to the approval for this information to be provided before the vehicle is entered on the RAV.

Personal effects

This criterion allows migrants settling in Australia, and expatriate Australian citizens returning permanently to Australia after a long period overseas, to bring their personal vehicle with them, if they meet the necessary criteria.

Provide your date of birth.

Proof of ownership

Include a statement that you owned and used the vehicle while overseas (substantially or exclusively) for a continuous period of at least 12 months immediately before arriving in Australia to live permanently.

Proof of overseas residency

Provide documentation that supports 12 months continuous residency in the country where the vehicle was purchased, before the date you arrived in Australia. This could include:

- rental receipts/purchase documents
- · employment records
- · utilities statements

What is required

Supporting documentation of registration of the vehicle overseas, 12 months before arriving in Australia to live permanently.

Remaining in Australia indefinitely

Provide the date you arrived in Australia to live here indefinitely. Supporting information for this date, for example, flight information.

Provide a statement that you intend to remain in Australia indefinitely.

Provide supporting material for this statement such as documents showing employment history, property ownership or rental, applications (for example, Medicare details, drivers licence, bank account) and registration for Medicare.

Provide supporting information to substantiate your intention to leave your country of residence indefinitely, for example:

- resignation acceptance letter from overseas employer
- cancellation of utilities services overseas
- sale/cancellation of overseas property
- shipment of your household goods to Australia. (e.g. copies of shipping documents).

Provide statements by you about why you are (potentially or actually) entitled to live in Australia (i.e. citizenship or certain visas).

Provide supporting information to support your entitlement to remain in Australia, for example:

- Australian passport
- permanent resident visa or application
- information about other relevant visas you may hold.

IMPORTANT: Please <u>do not</u> provide your tax file number as supporting information in your application.

Trailers

This criterion allows importers or manufacturers to enter up to 4 trailers with an aggregate trailer mass (ATM) of 4.5 tonnes or less (low ATM trailers), and 4 trailers with an ATM of more than 4.5 tonnes (high ATM trailers) on the RAV in a 12-month period without having to meet the requirements of the vehicle type approval pathway, provided that:

Trailer details

Provide statements regarding the:

- type of trailer: box trailer, boat trailer, caravan, camper trailer, glider trailer, or other (specify)
- length, width and height of trailer in metres
- ATM, tare mass, and gross trailer mass (GTM) of the trailer in kilograms
- country of manufacture.

Provide supporting information for the ATM – either the manufacturer's specification document, a photograph of the identification plate showing the ATM, or if the trailer was manufactured in the USA, a copy of the Certificate of Origin or other justification for the ATM.

Maximum of 4 concessional RAV entry approvals for these trailers in a 12-month period

for low ATM trailers, the applicant provides an enforceable declaration to the department that the vehicle complies with the

applicable national

road vehicle

standards

 for high ATM trailers, the applicant provides an enforceable declaration and supporting material to the department that the vehicle complies with applicable national road vehicle standards.

Note: Up to 4 identical trailers can be submitted in one application.

What is required

Provide a statement on whether you have been granted 4 or more concessional RAV entry trailer approvals in the same weight category in the past 12 months.

Compliance with national road vehicle standards

Provide a statement that you have read and understood the applicable Australian Design Rules (ADRs).

The applicable ADRs are those that apply at the date of your application. The original build date of the vehicle is not relevant.

For a low ATM trailer, you need to declare that the trailer complies or will comply with the ADRs (in force when the application is submitted) when it is entered on the RAV.

For a high ATM trailer, in addition to making a declaration that the vehicle complies or will comply, you must provide information showing the vehicle complies (or will comply) with the applicable national road vehicle standards at the time it is entered on the RAV.

Any testing to show compliance must be conducted by an RVS approved testing facility or by a person who holds a testing facility approval now, but did not at the time the testing was conducted.

If you have previously been approved for an identical trailer, the details of that approval can be provided instead of supplying duplicate compliance information.

In this case, the application still needs to identify the extent of compliance for each ADR but you do not need to complete the compliance information forms

Instead, you will need to add the statement 'This vehicle is identical to the vehicle identified in application CRE-202X-XXXXXXX that was approved previously' into the 'Comments and other matters' section of the application.

If you cannot complete the application because the vehicle needs to be tested in Australia, you can identify the ADRs that need testing or confirm by selecting 'Compliance to be confirmed after importation' in the 'Extent of compliance' section of the application.

A condition will be added to the approval for this information to be provided before the vehicle is entered on the RAV.

Substantial compliance with national road vehicle standards

Where a trailer does not or will not comply with the national road vehicle standards:

- You must provide details of the standards the trailer does not or will not comply with at the time it is added to the RAV. The trailer must still substantially comply with all applicable national road vehicle standards.
- You must complete a declaration that the trailer complies or will comply with the national standards in all other respects when it is entered on the RAV.
- For a high ATM trailer, in addition to the declaration you must either
 provide evidence of compliance for applicable ADRs or provide details of a
 previously approved identical trailer, representing the technical
 assessment that the vehicle complies with the applicable national road
 vehicle standards.

What is required

- A letter of in-principle support is required to confirm the vehicle is suitable
 for use on a public road. This needs to be obtained from the National
 Heavy Vehicle Regulator (NHVR) or state or territory registration authority
 where the vehicle will be used. Please note that the in-principle support
 letter is not required where the extent of compliance is within the
 allowance published in a gazette notice on the NHVR website. The notice
 must be applicable for the intended location of use.
- Where the non-compliance is not minor and inconsequential, (the trailer complies to an extent that makes it suitable for use on a public road) the model of the vehicle must end with NS to identify the vehicle is 'Nonstandard'.

If the vehicle needs to be tested when in Australia, you can identify the ADRs that need testing or confirmation by selecting 'Compliance to be confirmed after importation' in the 'Extent of compliance' section of the application.

A condition will be added to the approval for this information to be provided before the vehicle is entered on the RAV.

Vehicle suitable for entry on the RAV

This criterion allows the department to approve suitable vehicles that do not satisfy any of the other criteria for entry on the RAV. Provide statements describing how the vehicle is suitable for entry on the RAV.

Information from a vehicle type approval holder that the vehicle complies with applicable standards and is otherwise identical to a vehicle covered by a vehicle type approval could be considered in deciding if the vehicle is suitable for entry on the RAV.

If you are submitting an application where you are not close to meeting any other eligibility criteria, you should apply for a concessional RAV entry 'Personal effects' and in the comments section add that you are seeking for your application to be considered as 'Otherwise suitable for entry on the RAV'. You also need to detail why and add relevant supporting documentation.

Declarations

You may need to make the following declarations depending on the criterion you apply under:

- You will meet the standard condition regarding modification or manufacture by a RAW and verification by an AVV.

 A declaration that you will comply with the condition to have the vehicle modified by a RAW and examined by an AVV in order for the vehicle to be added to the RAV.
- You will comply with conditions of approval. A declaration that you will comply, if applicable, with the condition that the vehicle will be exported or destroyed if the examination by a RAW or AVV identifies that the vehicle does not meet structural integrity requirements.

Can I change details in my application?

When you start an application, ROVER allows you to save it, exit and return to your saved work at any time before you submit it. If you need to amend your application after it has been submitted, but before you've paid the fee, you can withdraw, amend and resubmit it, or delete it.

You can also <u>withdraw an application</u> and then amend and resubmit or delete it after you have submitted it and paid the fee if its status in ROVER is 'Paid—Awaiting Assessment' or 'Assessment in progress'.

The process for withdrawing, amending and resubmitting, or deleting an application after the fee has been paid is explained in the ROVER guide: How to withdraw, amend and resubmit or delete an application. You can view the status of your application in ROVER throughout the various stages, including the application creation, submission, payment and decision process.

Note: Draft applications older than 12-months that have never been submitted will be deleted at regular periods.

How we will assess your application

We will assess your application against the eligibility criteria set out in the Rules, in addition to other considerations and relevant matters. A recommendation will then be made on whether to grant an approval.

We will consider:

- who is seeking the approval
- whether the vehicle is a road vehicle and meets the requirements of the relevant criteria
- whether you (and key management personnel of the applicant company where relevant) have been found by any
 government agency or a court to have contravened road vehicle legislation.

To satisfy the requirements for granting a concessional RAV entry approval, a consistent approach is used to assess:

- · the required declarations
- all the information required and supporting documents submitted with the application
- · any additional information you provided, if 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 provide insufficient or incorrect information with your application or do not comply with a request made by the department, your application may be refused to be considered.

Requests for further information or inspection

During the assessment of your application, you may be asked to provide more specific information or to allow or arrange for an inspection of the vehicle in your application to help decide whether to grant an approval.

You will receive a notification outlining 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. A longer period may be allowed where, for example, the RFI is complex or detailed. While under an RFI, the application's status in ROVER will be updated to 'On hold-query pending'.

The assessment will resume once the RFI or inspection is completed. The application's status in ROVER will be updated to 'In progress'.

Responses to requests for further information will be considered when deciding whether to grant the approval.

Approval numbering

If an approval is granted, you will receive a unique concessional RAV entry approval number generated automatically from ROVER.

Refusing to consider an application

The department will consider specific criteria that must be satisfied when deciding your concessional RAV entry approval application. You will be informed of the decision to grant or refuse a concessional RAV entry approval with an appropriate notice.

If we decide to <u>refuse to consider</u> an application, you will be notified of the decision. It means the application is not assessed and no decision is made to either grant or refuse an approval.

Specifically, we may refuse to consider an application for a concessional RAV entry approval if:

- the application is not in the approved form. 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 (if no payment is made within 30 business days of submission)
- the applicant has not complied with a request for further information or inspection within the 30 business days, or longer period if allowed.

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

Approval holders' responsibilities

A concessional RAV entry approval holder has important responsibilities. These will appear as standard and specified conditions on the approval notice.

Conditions relating to a concessional RAV entry approval 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.

A concessional RAV entry approval holder must comply with all of the conditions in their approval. As well as standard conditions, a concessional RAV entry approval holder may also need to satisfy <u>specified conditions</u>.

These may appear separately on the approval notice and relate to the vehicle's specific or unique circumstances.

Can I change details in an approval?

A concessional RAV entry approval holder can make administrative updates to the details previously provided to the department, such as contact name and address through ROVER.

You may also apply to vary your concessional RAV entry approval through ROVER if you need to:

- 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.

Request to suspend or revoke an approval

An approval holder may also seek to have their concessional RAV entry approval suspended or revoked. You can request to suspend or revoke an approval through ROVER from your list of approvals. There is no associated fee to suspend or revoke an approval.

If a suspension is requested, the specified time period for the suspension must be included. During the suspension period, the approval is not in force.

A request to revoke an approval means that the approval is ceased.

Monitoring compliance with your approval

The department monitors and enforces compliance with the RVS legislation under the RVSA (penalty provisions) and the Rules (obligations of an approval holder).

We encourage voluntary compliance and undertake informed risk-based <u>compliance and enforcement activities</u> regarding the RVS legislation. These compliance activities may involve:

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

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

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

- · 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 and 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

- RVS Glossary of terms
- How is my personal and commercial information in ROVER managed?
- How to create a user account in ROVER.
- ROVER application statuses and notifications
- What are the RVS fees, charges and payments?
- What are RVS decision-making timeframes?
- Guide to SPVs–Concessional RAV entry approvals
- ROVER guide: How to apply for a low ATM trailer concessional RAV entry approval
- Checklist or a concessional RAV entry approval application for vehicle to be modified by a RAW
- Checklist or a concessional RAV entry approval application for a personal effects vehicle
- Checklist or a concessional RAV entry approval application for a special purpose vehicle
- Checklist or a concessional RAV entry approval application for a trailer
- Checklist or a concessional RAV entry approval application for an older vehicle.