

<b>STEP-BY-STEP: HOW TO RESPOND TO A NOTICE TO PRODUCE</b>	
<b>Steps</b>	<b>Your obligations</b>
<b>Prior to receiving a notice</b>	<p>Record keepers must keep a record of specific information for drivers of fatigue-regulated heavy vehicles.</p> <p>A record keeper may be the:</p> <ul style="list-style-type: none"> <li>▪ Employer (if the driver is employed).</li> <li>▪ Accredited operator (if the driver is working under Basic Fatigue Management or Advanced Fatigue Management accreditation).</li> <li>▪ Driver (as a self-employed or owner driver).</li> </ul> <p>For each driver the record keeper must keep:</p> <ul style="list-style-type: none"> <li>▪ Driver's name, licence number and contact details.</li> <li>▪ Dates that fatigue-regulated heavy vehicles were driven.</li> <li>▪ Registration number of the vehicle(s) driven.</li> <li>▪ Copies of duplicate work diary daily sheets.</li> <li>▪ Driver's rosters and trip schedules.</li> <li>▪ Driver timesheets and pay records.</li> <li>▪ Total of each driver's work and rest times for each day and each week.</li> </ul> <p>The record location is determined by the record keeper and notified to the driver which is usually the driver's base. All records must be in a format that is readable and reasonably assumed it will remain readable for three years from the date of creation. Records must be kept for three years at a location that is accessible to an authorised officer.</p>
<b>Immediately after being notified of an incident</b>	<p>Upon receiving a request for information, report the request internally to your compliance officer, manager or director.</p> <p>Review the notice carefully and check:</p> <ol style="list-style-type: none"> <li>i. whether the notice has been addressed to the correct entity/individual;</li> <li>ii. what type of documents have been sought; and</li> <li>iii. when the documents are required.</li> </ol> <p>Make a note of how long you have been given to comply with the Notice to Produce.</p>
<b>Get legal advice</b>	<p>When producing documents or information, make sure you provide only what is requested. If you are unsure, seek legal advice. A lawyer can advise you whether you can avoid producing some or all of the documents and information requested.</p>
<b>Consult other parties</b>	<p>Provide any relevant communication with other parties (i.e. email or voice recording of a phone booking).</p>
<b>Consider limitations</b>	<p>Consider whether you have a reasonable excuse not to comply with the directions.</p>
<b>Produce documents</b>	<p>Collate all the relevant documents/information and provide them to the authorised officer and keep a copy of the documents you have produced. Think carefully about providing additional information beyond what is requested. Documentation may include:</p> <ul style="list-style-type: none"> <li>▪ any document, device or anything else that the HVNL requires the driver to keep in their possession;</li> <li>▪ any document issued under the HVNL;</li> <li>▪ heavy vehicle accreditations; and</li> <li>▪ transport or journey documentation.</li> </ul>