

National Livestock Welfare Work and Rest Exemption Notice – Information sheet

This information sheet provides information about *National Livestock Welfare Work and Rest Exemption Notice 2023 (No. 1)*, which allows a driver of a fatigue-regulated heavy vehicle to extend their work time by up to one hour in response to an incident or potential risk to the welfare of loaded stock.

The driver, the load and the circumstances must meet the requirements detailed in this information sheet, which also details the minimum requirements for record-keepers.

Who can operate under this Notice?

The driver must be:

- a solo driver operating under Standard Hours or Basic Fatigue Management (BFM); and
- taking action to address, remove or reduce the risk of a livestock welfare incident.

The vehicle's load is certain livestock, including cattle, sheep, goats, pigs, horses, poultry, emus, ostriches, alpacas, deer, camels or buffalo.

The livestock welfare incident or potential risk must be:

- reasonably unforeseeable;
- arise in the course of a journey; and
- adversely impacts on the welfare of livestock.

How much additional work is available?

The exemption allows up to one hour of additional work time on a day, whenever there is a livestock welfare incident.

You cannot schedule the additional time.

You must take extra rest after you have done additional extra work to compensate for any fatigue risk.

How often can I work under this Notice?

Provided there is a genuine welfare incident/risk, and the driver complies with the following requirements, there is no limit on how many days the exemption can be used.

However, you are only allowed one additional hour of work in any seven-day period if you are working under

Standard Hours or one additional hour of work in any 14-day period if you are working under BFM.

If you use the exemption more than once within a seven- or 14- day period, you must pay back the additional work time within the period.

Additional Work Rules

The work time recorded by a driver may be extended by up to one hour from the regulated hours.

This can impact the total hours recorded in a seven- or 14-day period.

Standard Hours	
Regulated hours	Welfare incident hours
12 hours' work in 24 hours	13 hours' work in 24 hours
72 hours in 7 days	73 hours in 7 days*
144 hours in 14 days	146 hours in 14 days*
BFM Hours	
Regulated hours	Welfare incident hours
14 hours' work in 24 hours	15 hours' work in 24 hours
144 hours in 14 days	145 hours in 14 days*

*Total hours worked in a 7- or 14-day period can only be increased if the welfare incident occurs in the last 24-hour period of the week/fortnight.

Additional Rest Rules

Where drivers have extended work time in response to a welfare incident, total continuous stationary rest time following the event must be increased.

Before a driver can start work after the welfare incident, they must have a minimum of seven continuous hours of stationary rest plus twice the amount of additional work time used to deal with the welfare incident.

Standard Hours		
Total work	=	Total continuous rest*
12 hours 15 minutes	=	7 hours 30 minutes
12 hours 30 minutes	=	8 hours
12 hours 45 minutes	=	8 hours 30 minutes
13 hours	=	9 hours

BFM Hours		
Total work	=	Total continuous rest*
14 hours 15 minutes	=	7 hours 30 minutes
14 hours 30 minutes	=	8 hours
14 hours 45 minutes	=	8 hours 30 minutes
15 hours	=	9 hours

* Total hours worked in a 7- or 14-day period can only be increased if the welfare incident occurs in the last 24-hour period of the week/fortnight.

Recording requirements

Drivers who work under this exemption must make records about the work done and the circumstances under which the work occurred.

These records must be in writing and detail:

- the amount of time spent working under this exemption
- the circumstances which resulted in risks to the welfare of the livestock
- the time, date and location when the driver became aware of these circumstances.

Drivers who are required to complete the National Driver Work Diary must make the above records in their work diary and provide copies of the information to their record-keeper in accordance with the record keeping requirements detailed in the Heavy Vehicle National Law.

Drivers who are not required to complete the National Driver Work Diary must make the above records in writing and provide a copy of this information to their record-keeper as soon as practicable, but no later than 21 days.

Record-keepers must retain records relating to the work carried out under this exemption for a period of three years.

For more information:

Visit: www.nhvr.gov.au
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 Phone: 13 NHVR (13 64 87) *

* Standard 13 XX XX call charges apply. Please check with your phone provider.
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