



Freight Movement Code for the Domestic Border Controls – Freight Movement Protocol

The movement of domestic freight is critical to the functioning of our society and economy. Any movement of freight-related workers across the country or through communities needs to be balanced with the safety of both the workforce and broader community.

Drivers of any heavy vehicles over 4.5 GVM and rail crew and support workers essential to the supply chain but not travelling in a heavy vehicle or train, are essential workers that may frequently cross jurisdictional borders, travelling between higher risk and lower risk areas. A freight worker travelling into an affected area risks contracting the virus and poses a risk of viral transmission to an unaffected community or jurisdiction.

On 24 July 2020, National Cabinet agreed a Freight Movement Protocol (the Protocol) that was developed based on consultation with industry. To support the implementation of the Protocol, National Cabinet also agreed that compliance and enforcement measures would be developed in the form of a binding Freight Movement Code (the Code). This Code should be read in conjunction with the Protocol.

This Code specifies the measures that will be enforced by relevant states and territories through their Public Health Orders and Emergency Management Directions. The enforceable measures have been specified to deliver greater consistency between states and territories in their implementation of border controls as they apply to freight workers, especially for COVID-19 testing, self-isolation requirements while working, and reporting requirements to facilitate contact tracing. A small number of variations will continue to exist between states and territories, and these will be clearly communicated to the National Regulators, the freight and logistics industry and to border control authorities.

All states and territories have introduced border control measures at some stage during the COVID-19 pandemic. Many companies transport freight across multiple borders, and are currently required to meet multiple border control measures including exemption processes, self-isolation requirements, use of Personal Protective Equipment (PPE), and COVID-19 testing requirements. Testing has been used as a one of the controls to manage this risk.

The Code recommends a consistent, national testing regime for freight workers, recognising that while Australia remains at Stage A of the National Plan to Transition Australia's National COVID-19 Response there is the need to maintain caution and control for workers travelling between jurisdictions. Further, a nationally consistent regime will reduce the administrative and operational burden on industry to understand and comply with their obligations. Differing jurisdictional requirements may be confusing for industry members and may cause inadvertent non-compliance and delays as drivers await testing and are stopped at border for compliance testing.

A more consistent, risk-based approach across Australia will reduce complexity for industry and authorities and improve compliance, whilst minimising potential vectors for transmission of COVID-19. Ongoing regular communication between transport, policing and health agencies in each state and territory and the National Regulators, as well as communication and consultation with industry as outlined in the Protocol, will be critical to ensure a smooth implementation of this Code.

This Code is intended to be complementary to plans agreed by National Cabinet for the safe transitioning to the reopening of Australia.

This Code does not apply to intrastate freight movements. It only applies to movements of freight workers across state and territory borders.

This Code was updated in August 2021 in line with evolving health advice that took into account the fact that increasingly transmissible variants of the COVID-19 virus are becoming predominant, both globally and in Australia. Until the majority of Australians are protected by COVID-19 vaccines, industry-specific approaches are required to manage outbreaks.

As vaccination reduces the risk of infection and transmission, all eligible workers should be encouraged to access vaccine. The sector should develop a work-based program to deliver vaccines as a priority. An industry-based method to deliver communication of advice for workers may be considered, together with support measures for workers who may need to isolate or quarantine in the case of positive tests or relevant symptoms.

This program should continue until the 80% vaccination target is reached for the eligible Australian population or in line with another trigger as agreed by the AHPPC; it may be reviewed at that point.

Workers covered by the Code

This code applies to freight workers that are crossing state and territory borders for their work, including:

- drivers of any heavy vehicles over 4.5 GVM;
- rail crew; and
- support workers essential to the supply chain but not travelling in a heavy vehicle or train. This includes those workers carrying out repairs or repositioning empty trailers and prime movers to carry freight, and rail track workers.

Enforceable measures in relation to border crossings

To deliver the desired outcomes of the Protocol the following measures will be enforceable in each state and territory that implements border controls, unless specified as a variation at [Annex A](#).

It is essential that workers comply with the measures set out in this section so that the potential risk of COVID-19 transmission is minimised. Should new types of COVID-19 test (such as Rapid Antigen Testing) be approved for use by relevant Health authorities, these tests will be recognised under the Code.

Testing and Additional Measures

Testing approach: Context

Testing is a lagging indicator; results take some time after samples are collected. It does not prevent infection or transmission. It should be used as one essential control in a layered approach of risk mitigation. National consistency in requirements between jurisdictions, as outlined in this Code, will support greater compliance and reduce administrative as well as operational complexity.

Controls (including testing) in jurisdictions

Risk mitigations for Freight Workers:

Freight workers should:

- Minimise all interactions on route (e.g. not attend public venues except for essential visits, such as resupply and refuelling);
- Check in at all venues and document all interactions by registering applicable QR codes or filling supplementary work diary record sheets where no electronic means of tracking is available;
- Undertake daily symptom screening;
- Access education and training to recognise COVID-19 symptoms and follow relevant protocols if symptoms occur;
- Access daily risk communication related to declared Commonwealth hotspots, jurisdictional lockdowns and required control measures;
- For all interactions, wear masks, minimise time taken for loading and unloading and all interactions (industry to review touch points to reduce risk); and
- For all interactions, comply with prevailing health orders of the jurisdiction they are in.

Testing program:

- Freight workers crossing state/territory borders are required to have a negative COVID-19 test result in a rolling 7-day period.

Note: Under these measures, workers must be able to continue to comply with their legal obligations, particularly those provisions relating to fatigue management and work health and safety.

Enforcement regime

Enforcement of the measures in this Code will be made effective through relevant Public Health Orders and Emergency Management Directions of each state and territory. Where there is a difference between the Code and the Public Health Order of a jurisdiction, the Public Health Order is the enforceable instrument.

The enforceable measures will be implemented in each state and territory where border controls are implemented, and compliance will be monitored through random and/or targeted checks by authorised officers as agreed in the Protocol, to ensure there is minimal delay for freight movement, especially at border crossings.

Penalties for breaching the enforceable measures in this Code will be covered as breaches of the relevant state and territories' Public Health Orders and/or Emergency Management Directions for border crossings.

Any implementation requirements, however, will not have a legal effect in another state or territory and cannot result in the worker facing conflicting legislative requirements across states.

Implementation Approach

States and territories will provide pop up testing facilities at suitable locations such as truck stops, other heavy vehicle rest or service areas and/or intermodal hubs that are accessible to heavy

vehicles and ensure protection of loads (livestock, dangerous goods and perishable items) and worker and community safety can be managed.

States and territories will also provide pop up testing facilities at rail freight terminals/depots where it can be accommodated.

These facilities will:

- not be at border crossings, but will be at safe and convenient locations to support the efficient movement of freight across borders and minimise the impact on driver fatigue management;
- operate during hours that maximise utilisation and meet industry needs, with the capability for 24 hour operation where practicable;
- be free of charge to workers requiring tests; and
- provide for separation of symptomatic and asymptomatic people within a testing site if symptomatic testing is permitted at the same location.

It will not be compulsory to stop at testing sites unless directed by an authorised officer. Drivers, operators and schedulers will need to give consideration to driver fatigue management requirements, including meeting all legislative requirements, when deciding where to stop for a test. Drivers will not be required to wait at a testing site for the results of their test.

Testing evidence

Test results from tests conducted in other jurisdictions will be recognised, including by authorised officers at border crossings. The worker will need to carry evidence of the test result for the purposes of demonstrating compliance. Provided they are asymptomatic, workers will not have to go into quarantine or formal self-isolation in any state or territory while they are waiting for the results of a COVID-19 test if they have a negative result within the preceding seven day period to comply with the Code. In this case, the worker can continue to work in accordance with all of the other requirements set out in the Protocol and this Code and their COVIDSafe workplans.

If a worker is symptomatic or receives a positive test, they will be managed in accordance with current state and territory practices as outlined in their COVIDSafe workplan and the relevant Public Health Orders or Emergency Management Directions, which may include the option for the worker to return to their home state to self-isolate.

Workers who receive a positive test are required to notify the public health authority of the state or territory they are currently in if it is not the state or territory where the test was performed.

COVIDSafe workplans and PPE

States and territories will continue to make publicly available the requirements around social distancing and the use of COVIDSafe workplans and PPE, including through their Public Health Orders and Emergency Management Directions.

States and territories will mutually recognise COVIDSafe workplans developed by the relevant operator if already agreed by one state or territory. This will be facilitated through the relevant permit process. If a COVIDSafe workplan requires information on testing, what is outlined in this Code will be the minimum requirement.

States and territories and industry will ensure regular training is available on the development of COVIDSafe workplans and the use of PPE.

Compliance Checks

Random and/or targeted checks by authorised officers will occur to ensure compliance with the enforceable measures in this Code. Penalties for non-compliance with the enforceable measures will be in accordance with the relevant Public Health Orders or Emergency Management Directions.

States and territories will coordinate their efforts and share operational and compliance information and data where permitted under law, including with the National Regulators, and take appropriate action as required.

High level performance information will be gathered and reported to states, territories and industry to support this risk-based approach.

Movement of freight will continue across borders and the requirements for testing will be the responsibility of the worker. An authorised officer can direct a worker to be tested as soon as practicable if they are unable to provide evidence of a negative COVID-19 test result from the preceding 7 day period. Heavy vehicle drivers, operators and schedulers will need to give consideration to driver fatigue management, including meeting all legislative requirements and should plan their testing around these requirements.

Changes to requirements and information for industry

Prior to implementing any changes to requirements that differ from the Code or Protocol, states and territories will consult with other governments through a national coordination mechanism, and with National Regulators and industry, to understand the effect and impacts of potential changes ahead of any new directions being put in place. This will ensure industry can implement any new requirements quickly and achieve strong compliance.

Commencement date

Implementation of enforceable measures will commence no earlier than 5 days, after National Cabinet agreement to provide industry with advance notice of upcoming changes.

Annex A

State or Territory	Enforcement approach	Implementation date	Variations
New South Wales			
Victoria			While in Victoria, if in the last 14 days a freight worker has been in a red or extreme risk zone at any time after the red zone or extreme risk zone commencement time, they must get tested for COVID-19 at least once every 3 days during the time their permit to enter Victoria is valid. They must carry and provide documentary evidence that they have been tested (including evidence of the person's most recent test) to an authorised officer, a Victoria Police member or a Protective Services Officer (or other person under such person's direction) when requested to do so. Note that a freight worker is not required to be tested for SARS-CoV-2 more than four times in any 14 day period, including where a person enters Victoria more than once in any 14 day period.
Queensland			Freight drivers can be tested at Queensland Health testing clinics, where they can be tested free of charge. Operators can show their ID Card and valid Queensland Border Declaration Pass (Freight and Logistics) to health workers when they arrive to be prioritised for testing.
Western Australia			<p>Testing arrangements</p> <ul style="list-style-type: none"> ○ A person who has entered WA and does not have evidence of having had a COVID-19 test in the previous 5 days will be required to present for a test within 48 hours. ○ No requirement to continue to be tested after being in WA for 14 days; ○ Pop-up testing facilities unlikely to be provided due to lower freight numbers. Testing will be available at public COVID clinics and regional public emergency departments. Companies may pay for private pathology testing to be undertaken on-site. Twenty four hour testing only available in some locations. ○ People who have symptomatic testing whilst in WA and are required to isolate, will not be permitted to leave isolation or cross the border into another State, until a negative test result is returned. ○ People who test positive whilst in WA, will be isolated in WA and will not be permitted to leave isolation or cross the border into another State until after they have been cleared of COVID-19 by Public Health. <p>COVID Safety Plans are encouraged, but not required, for the freight industry.</p> <p>Additional requirements:</p> <ul style="list-style-type: none"> ○ Maintaining physical distancing and practising hand hygiene ○ No passengers, unless required for work purposes
South Australia			Freight and commercial transport workers arriving from a restricted zone are required to present evidence they have

			undertaken a COVID-19 test within the previous 72 hours or be subject to COVID-19 testing on day 1, 5, & 13.
Tasmania			
Australian Capital Territory			Pop-up testing facilities for freight workers will not be provided in the ACT.
Northern Territory			NT will ensure targeted testing is available to enable drivers to comply with the testing requirements.