Supplier's guide: Not-reporting status for voluntary vehicle recalls

June 2024

This guide provides information to road vehicle and approved road vehicle component suppliers on requesting a 'not-reporting' status for a voluntary recall.

The department recognises and acknowledges the challenges faced by industry, particularly in certain sectors, when conducting recalls. By engaging in tailored case-by-case consideration using the criteria outlined below, the intent is to reduce the regulatory burden of otherwise exhausted recall campaigns without impacting safety and compliance outcomes for the Australian public.

What is a voluntary recall?

A voluntary recall is action taken by vehicle and component suppliers to fix a safety or non-compliance issue with a road vehicle or approved road vehicle component.

What is a not-reporting recall?

A not-reporting recall is a practical option with reduced performance monitoring for incomplete recalls affected by stalled rectification rates.

The department may apply a not-reporting status to a voluntary recall when you have taken all reasonable steps to effectively mitigate the safety risk posed by the defect but it has become unlikely the recall can be fully completed. For example, when you have conducted an effective recall campaign and experience a drop in rectification rates. This could happen for a number of reasons, including factors specific to the vehicle type or component, or practical considerations like untraceable or hard to contact owners and ageing vehicles.

When a recall status is changed to not-reporting, the department's performance monitoring is significantly reduced and regular progress reports are no longer expected.

Please note that a not-reporting status does not affect the requirement to rectify outstanding vehicles under recall and the public will still be able to access information about the recall through the department's Vehicle Recalls website.

You should submit reports if further vehicles are rectified, preferably within 6 months. If all outstanding units are reported rectified or disposed of, the recall will be given a closed status.

What is the difference between a recall with status closed and not-reporting?

Closed: A recall is closed only when all affected vehicles or components are rectified, written-off or otherwise disposed of. No further action is required and your responsibilities, as the supplier, are fully discharged for that recall. You should always aim for 100% completion and a closed recall.

Not-reporting: In some cases, you may have tried to complete the recall but the rectification rates have stalled. Acknowledging that you have done all you can to complete the recall, and it is unlikely the recall will be completed, a recall with less than 100% completion may be considered for not-reporting status. This relieves you of the regulatory burden of monthly reporting.

Changing the status of a recall to not-reporting does not remove your responsibility to rectify vehicles and/or vehicle components presented to you. You must continue to rectify them accordingly.

You should report on further rectifications through <u>ROVER</u> in the usual way. This can be periodically, preferably within 6 months. Reporting nil rectifications is not necessary. If all outstanding vehicles or components are reported as rectified or disposed of, the department will close the recall.

When does a recall become eligible for not-reporting status?

A recall becomes eligible for not-reporting status when, substantially:

- you have actively campaigned the recall for a period of time reasonable to maximise response.
- you have employed a recall strategy that included effective communication campaigns and suitable parts or workshop availability for consumers during the time period.
- you have achieved a high level of rectification and the remaining unrectified vehicles or components are in comparatively low numbers, unless exceptional circumstances can be demonstrated.
- recall rectification rates have tapered to very low or nil, notwithstanding continued effort.
- you have made use of NEVDIS data¹ to obtain contact details for vehicle owners.

We acknowledge that not all recalls are the same, and that in some circumstances a recall may not necessarily demonstrate all of these criteria. You can address this when you make your request.

¹ NEVDIS data is available to a genuine supplier that is conducting a vehicle recall in Australia. This data may be helpful in finding the owners of re-sold vehicles. For further guidance, email recalls@infrastructure.gov.au

How do I request my recall be given not-reporting status?

You can request a recall be given not-reporting status by <u>sending an email</u> to the Recalls team with the following information:

- The recall reference number (REC-XXXXXX).
- The details about the recall campaign to date.
- The communication strategy.
- Evidence addressing the eligibility criteria above.
- Any other documented reasons the recall is suitable for not-reporting status.

Note: You should present a strong argument with supporting evidence.

What does the department consider when reviewing a request for not-reporting status?

The department will take into account the following when considering a request for not-reporting status:

- The age of the recall.
- The percentage of completion and number of outstanding units.
- The recall communications strategy and its effectiveness.
- The rectification rates throughout the recall, for example, whether there was initially a good response to the campaign but subsequently the rectification rate plateaued, indicating a diminishing return on effort.
- Any particular or extenuating circumstances you may have described in your request.

What happens if my request for not-reporting status is not granted?

If the department does not grant your request for not-reporting status, you will be given advice in writing. The status of your recall will remain as open, and monthly reporting and active campaigning is expected to continue.

What happens once a recall is given not-reporting status?

You will be given advice in writing. You will no longer be required to provide regular monthly reports to the department and we will not actively monitor the recall. The recall will remain on the department's Vehicle Recalls website.

You will still be responsible for rectifying vehicles and/or components presented to you, as the supplier, and you must rectify the outstanding vehicles accordingly.

You should report on further rectifications through <u>ROVER</u> in the usual way. This can be periodically, preferably within 6 months. Reporting nil rectifications is not necessary. If all outstanding vehicles or components are reported rectified or disposed of, the department will close the recall.

Further information

For more information, please visit the <u>department's website</u> or contact us:

- Email recalls@infrastructure.gov.au
- Call 1800 815 272 (within Australia) or +61 2 6274 7444 (from overseas) Monday–Thursday 9 am to 5 pm, Friday 9 am to 4 pm (Australian Eastern Standard Time).
- By Post:

The Director, Recalls Team
Vehicle Safety Operations Branch
Department of Infrastructure, Transport, Regional Development, Communications and the Arts
GPO Box 594
Canberra ACT 2601

Quick links

- Supplier's guide to vehicle recalls
- Vehicle Recalls Policy
- ROVER
- Vehicle Recalls Website
- Guidance for suppliers on conducting a vehicle recall | Vehicle Recalls
- Resources (Factsheets, posters and fliers) | Vehicle Recalls
- ROVER guide: Multi-level authority to act
- ROVER guide: How to upload multiple recall reports using the bulk report template
- ROVER template: VINs under recall

Document Control

Refer to the following table for the approver and latest version of this document.

Version	Release date	Approver	Reason for update
1.0	Jun 2024	David Morton	Initial release of document.