



CHAIN OF RESPONSIBILITY POLICY

Effective Date: 30 June 2022

The aim of the CoR laws is to ensure that heavy vehicles, their load, and drivers are safe and do not pose a risk to themselves, other road users, the public, public infrastructure, or the environment.

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WHAT IS CHAIN OF RESPONSIBILITY (COR)?

The aim of the CoR laws is to ensure that heavy vehicles, their load, and drivers are safe and do not pose a risk to themselves, other road users, the public, public infrastructure, or the environment.

The “Chain” of Responsibility extends legal responsibility and liability for certain road safety issues to all parties in the road transport supply chain who by their actions, inactions or demands exercise control or influence over regulated transport activities.

Amendments to the CoR laws in October 2018 mean that if you are a party in the Chain, in respect of any transport activities that you perform, control or influence, you must:

- **Ensure, so far as reasonably practicable, the safety of your transport activities relating to the use of a heavy vehicle on a road.**
- **Ensure that your actions/inactions, requests, requirements, or business practices do not result in, encourage, reward, or provide an incentive for any other party in the Chain to breach the Chain of Responsibility laws.**

The CoR law is currently in force in Queensland, New South Wales, Australian Capital Territory, Victoria, Tasmania, and South Australia. Although the HVNL has not commenced in Western Australia and Northern Territory, the law applies equally to vehicles from this jurisdiction when they cross into a regulated region.

WA and NT have their own heavy vehicle legislation. In Western Australia, the Road Traffic (Administration) Act 2008 (WA) and the Road Traffic (Vehicle) Act 2012 (WA) impose obligations on chain of responsibility parties like those found under the HVNL. In the Northern Territory the use of heavy vehicles is governed by a range of Acts, Codes, and Regulations.

Although the Northern Territory does not have specific chain of responsibility laws, chain of responsibility parties including employers can be held liable for certain breaches of road and load laws.

Generally, the law applies to the operation and use of heavy vehicles for road transport. A heavy vehicle is any vehicle or combination with a gross vehicle mass (that is, maximum loaded mass) of 4.5 tonnes or more.

[Read more about Chain of Responsibility](#)

[Read more about the amended Heavy Vehicle National Law](#)

PIL Logistics Australia (PILLA) will not knowingly ask or expect any party in the chain to do anything unlawful or that would create a dangerous or potentially dangerous situation.

PURPOSE

The purpose of this document is to provide PILLA’s suppliers, contractors, subcontractors, and customers a guidance on Chain of Responsibility (**CoR**), specifically, PILLA’s compliance expectations of our stakeholders with whom we deal who are also parties in the Chain. This policy applies to all parties that have responsibility for or involvement in activities that fall within the scope of the CoR laws.

CHAIN OF RESPONSIBILITY ELEMENTS

This section lists the main elements of the CoR with a brief explanation of the main responsibilities each element imposes, with links to the HVNL regulations for your further reading.

Mass: Heavy vehicles must not be loaded more than their gross (total) *or axle* mass limits.

The person consigning, arranging for, or offering containerised goods for road transport must provide the transport operator with a Container Weight Declaration setting out the mass and details of the consignment.

Dimension: Heavy vehicles (whether loaded or unloaded) must be within their applicable width, height, length, and rear overhang limits.

Load Restraint: A load on a heavy vehicle (including inside a freight container) must be placed and secured so that it will not shift in a way that adversely affects the handling or stability of the heavy vehicle or fall or dislodge from the heavy vehicle.

Any method of restraint used must comply (at a minimum) with the National Transport Commission's [Load Restraint Guide](#) specifically, it must be designed to secure a load subject to the expected on-road forces set out in the *Load Restraint Guide*.

Reference: [Heavy Vehicle \(Mass, Dimension and Loading\) National Regulation](#)

Speed: All planned journeys must be able to be and must be performed without speeding.

Drivers must not exceed signposted speed limits or the maximum permitted speed limits for the class of their vehicle.

A person must not ask, directly or indirectly, the driver of a heavy vehicle to do or not do something that would have the effect of causing the driver to speed. No person can make a request or put in place any contract which would cause, encourage, or provide an incentive for a driver to speed.

Heavy vehicles over 12 tonnes GVM must be fitted with speed limiters.

Driver Fatigue: All planned journeys must be able to be and must be performed without drivers driving while they are adversely affected by fatigue.

No driver can drive, and no person can request a driver to drive if this would result in the driver driving whilst adversely affected by fatigue and/or more than their applicable work/rest hours limits. Certain drivers are required to maintain work diaries and records of their work/rest hours.

No person can make a request or put in place any contract which would cause, encourage, or provide an incentive for a driver to drive whilst adversely affected by fatigue and/or more than their applicable work/rest hours limits.

Reference: [Heavy Vehicle \(Fatigue Management\) National Regulation](#)

Vehicle Standards: Any heavy vehicle must meet HVS and be maintained in a roadworthy state.

Reference: [Heavy Vehicle \(Vehicle Standards\) National Regulation](#)

*Note: The CoR laws in Western Australia do not extend to speed, fatigue, or heavy vehicle standards/roadworthiness risks. That is, parties up and down the Chain in Western Australia are not responsible for these risks.

CHAIN OF RESPONSIBILITY PARTY RESPONSIBILITIES

As a party in the supply chain, the best way to fulfil your obligations under the HVNL and CoR is to have safety management systems and controls in place, such as business practices, training, procedures, and review processes that:

- identify, assess, evaluate, and control risk.
- manage compliance with speed, fatigue, mass, dimension, loading and vehicle standards requirements through identified best practice.
- involve regular reporting, including to executive officers.
- document or record actions taken to manage safety.

Chain of Responsibility parties should consider all their actions in respect of road transport activities to ensure they are safe, appropriate, and legal.

BREACH OF POLICY

This policy sets standards of behaviour expected from all parties in the supply chain performing work for or on behalf of PILLA. It is expected that all participants will enforce a similar set of standards with their employees and any contractors or subcontractors.

If any behaviour or action is observed which may represent a breach of the CoR laws or this policy, it must be promptly reported to PILLA. All identified breaches must be documented by an Incident Report. The issue will then be promptly investigated, and corrective actions implemented, if necessary.

Any breaches of the CoR laws or this policy by any party in the chain may result in the performance management in accordance with our usual performance management practices and/or suspension or termination of their Vendor Agreement with PILLA.

CHAIN OF RESPONSIBILITY COMPLIANCE – MASS, DIMENSION AND LOAD RESTRAINT MANAGEMENT POLICY

PURPOSE

The purpose of this policy is to outline our compliance expectations of third parties with whom we deal who are also parties in the Chain.

SCOPE AND APPLICATION

This policy applies to the following transport activities:

- Consigning
 - Packing/preparing.
 - Loading
 - Carrying
 - Receiving,
- or operating:
- A heavy vehicle
 - Premises at which heavy vehicles regularly load/unload

goods transported by heavy vehicle by road,

This policy applies to the following Chain of Responsibility safety risks:

| CoR element | Primary requirements |
|-----------------------|---|
| Mass | <p>Heavy vehicles must not be loaded more than their gross (total) <i>or axle</i> mass limits.</p> <p>The person consigning, arranging for, or offering containerised goods for road transport must provide the transport operator with a Container Weight Declaration setting out the mass and details of the consignment.</p> |
| Dimension | <p>Heavy vehicles (whether loaded or unloaded) must be within their applicable width, height, length, and rear overhang limits.</p> |
| Load Restraint | <p>A load on a heavy vehicle (<i>including inside a freight container</i>) must be placed and secured so that it will not shift in a way that adversely affects the handling or stability of the heavy vehicle or fall or dislodge from the heavy vehicle.</p> <p>Any method of restraint used must comply (at a minimum) with the National Transport Commission's <i>Load Restraint Guide</i>, specifically, it must be designed to secure a load subject to the expected on-road forces set out in the <i>Load Restraint Guide</i>. Specifically, the restraints used to affix a load to a vehicle or secure goods within a shipping container must <i>meet or exceed</i> the forces as specified in the picture.</p> <div style="text-align: right;"> </div> |

WHAT IS REQUIRED TO COMPLY WITH MASS, DIMENSION AND LOAD RESTRAINT SAFETY OBLIGATIONS

CONSIGNOR/CONSIGNEE RESPONSIBILITIES

As consignor or consignee, the responsibilities include ensuring that:

- loads do not exceed vehicle mass or dimension limits.
- you provide other parties in the Chain with reliable information on load type, mass, and dimension, or advise if any of these are unknown.
- goods carried on your behalf can be appropriately secured.
- operators carrying freight containers have a valid Container Weight Declaration.

LOADING MANAGER/LOADER/PACKER RESPONSIBILITIES

Loader responsibilities include ensuring a vehicle's load:

- does not exceed vehicle mass or dimension limits, including through consulting the driver or transport operator.
- does not cause the vehicle to exceed mass limits, including through consulting the driver or transport operator.
- is placed in a way so it does not become unstable, move, or fall off the vehicle, including through consulting the driver or transport operator.

Unreliable weight information makes it difficult for drivers to comply with the law. Packer responsibilities include ensuring that:

- documentation about the vehicle's load (in particular, its nature, mass, or dimensions) is not false or misleading.
- any goods packed in a freight container do not cause the container's gross weight or safety approval rating to be exceeded.

OPERATOR/MANAGER RESPONSIBILITIES

As an operator or manager of a business involved in road transport, your responsibilities also include ensuring that:

- vehicles are not loaded in a way which exceeds mass or dimension limits.
- drivers moving freight containers have a valid Container Weight Declaration
- loads are appropriately restrained with appropriate restraint equipment.

CHAIN OF RESPONSIBILITY COMPLIANCE – *SPEED AND FATIGUE MANAGEMENT POLICY*

PURPOSE

The purpose of this policy is to outline our compliance expectations of third parties with whom we deal who are also parties in the Chain.

SCOPE AND APPLICATION

This policy applies to the following transport activities:

- Consigning
 - Scheduling
 - Loading
 - Carrying
- or operating:
- A heavy vehicle
 - Premises at which heavy vehicles regularly load/unload.

- Unloading
- Receiving,

goods transported by heavy vehicle by road,

This policy applies to the following Chain of Responsibility safety risks:

| CoR element | Primary requirements |
|--------------------|---|
| Speed* | <p>All planned journeys must be able to be and must be performed without speeding.</p> <p>Drivers must not exceed signposted speed limits or the maximum permitted speed limits for the class of their vehicle.</p> <p>A person must not ask, directly or indirectly, the driver of a heavy vehicle to do or not do something that would have the effect of causing the driver to speed.</p> <p>No person can make a request or put in place any contract which would cause, encourage, or provide an incentive for a driver to speed.</p> <p>Heavy vehicles over 12 tonnes GVM must be fitted with speed limiters.</p> |
| Fatigue* | <p>All planned journeys must be able to be and must be performed without drivers driving while they are adversely affected by fatigue.</p> <p>No driver can drive, and no person can request a driver to drive if this would result in the driver driving whilst adversely affected by fatigue and/or more than their applicable work/rest hours limits.</p> <p>No person can make a request or put in place any contract which would cause, encourage, or provide an incentive for a driver to drive whilst adversely affected by fatigue and/or more than their applicable work/rest hours limits.</p> <p>Certain drivers are required to maintain work diaries and records of their work/rest hours.</p> |

*Note: The Chain of Responsibility laws in Western Australia do not extend to speed, fatigue, or heavy vehicle standards/roadworthiness risks. That is, parties up and down the Chain in Western Australia are not responsible for these risks.

WHAT IS REQUIRED TO COMPLY WITH SPEED AND FATIGUE SAFETY OBLIGATIONS

CONSIGNOR/CONSIGNEE RESPONSIBILITIES

As consignor or consignee your responsibilities include ensuring that your delivery requirements do not require or encourage drivers to:

- exceed the speed limits.
- exceed regulated driving hours.
- fail to meet the minimum rest requirements.
- drive while impaired by fatigue.

LOADING MANAGER/LOADER RESPONSIBILITIES

Loading managers, loaders and packers must ensure that loading a fatigue-regulated heavy vehicle will not cause or contribute to the driver driving while impaired by fatigue or in contravention of road transport laws.

Loading manager responsibilities include:

- working with other off-road parties to make reasonable arrangements to manage loading/unloading time slots.
- ensuring vehicles are loaded/unloaded as quickly and efficiently as possible.
- putting systems in place for unexpected jobs – for example where there have been unexpected road delays.
- advising drivers or transport operators of unexpected loading/unloading delays on site, in particular any delay exceeding 30 minutes
- in the event of any material loading/unloading delays on site, consulting and coordinating with other parties in the Chain to reschedule transport arrangements, to the extent possible.

Loading managers and loaders are not primarily responsible for managing driver fatigue (other than ensuring that their conduct does not contribute to it – as outlined above). However, as they will be dealing with drivers firsthand:

- if they observe an obvious safety concern as to the fatigue of a driver (e.g., something reasonably obvious to a reasonable inexpert bystander), they should raise it with the driver or transport operator or their employer.

OPERATOR/MANAGER/SCHEDULER RESPONSIBILITIES

As an operator, manager, or scheduler of a business involved in road transport, your responsibilities also include ensuring that:

- rosters and schedules do not require drivers to exceed driving hours regulations or speed limits.
- you keep records of your drivers' activities, including work and rest times.
- you take all reasonable steps to ensure drivers do not work while impaired by fatigue or drive in breach of their work or rest options.
- vehicles are regularly maintained, and if speed limiters are fitted, they are functioning properly.

CHAIN OF RESPONSIBILITY COMPLIANCE – VEHICLE STANDARDS AND ROADWORTHINESS MANAGEMENT POLICY

PURPOSE

The purpose of this policy is to outline our compliance expectations of third parties with whom we deal who are also parties in the Chain.

SCOPE AND APPLICATION

This policy applies to the following transport activities:

- Carrying goods transported by heavy vehicle by road,
- or operating:
 - A heavy vehicle
 - Premises at which heavy vehicles regularly load/unload.

This policy applies to the following Chain of Responsibility safety risks:

| CoR element | Primary requirements |
|---------------------------------------|--|
| Vehicle standards and roadworthiness* | Any heavy vehicle must meet Heavy Vehicle Standards and be maintained in a roadworthy state. |

*Note: The Chain of Responsibility laws in Western Australia do not extend to speed, fatigue, or heavy vehicle standards/roadworthiness risks. That is, parties up and down the Chain in Western Australia are not responsible for these risks.

WHAT IS REQUIRED TO COMPLY WITH VEHICLE STANDARDS AND ROADWORTHINESS SAFETY OBLIGATIONS

LOADING MANAGER/LOADER RESPONSIBILITIES

Loading managers and loaders are not primarily responsible for vehicle standards or roadworthiness compliance. However, as they will be dealing with vehicles firsthand:

- if they observe an obvious safety concern as to the standard or roadworthiness of a vehicle (e.g., something reasonably obvious to a reasonable inexpert bystander), they should raise it with the driver or transport operator or their employer.

OPERATOR RESPONSIBILITIES

As an operator of a business involved in road transport, your responsibilities also include ensuring that:

- vehicles meet any applicable vehicle standards and are regularly maintained and roadworthy.