

TLIF0009 – Ensure the safety of transport activities (Chain of Responsibility)

**Cost: \$325 + GST where applicable
(Face to Face or online delivery)**

The aim of COR is to make sure everyone in the supply chain shares responsibility for ensuring breaches of the HVNL do not occur. Under COR laws if you are named as a party in the chain of responsibility and you exercise (or have the capability of exercising) control or influence over any transport task, you have a responsibility to ensure the HVNL is complied with.

It includes identifying features and applying Chain of Responsibility Obligation in the Heavy Vehicle National Law or applicable state/territory law and regulations. It also includes identifying and reporting chain of responsibility risks.



TLIF0014 – Monitor the safety of transport activities (Chain of Responsibility)

**Cost: \$550 + GST where applicable
(Face to Face or online delivery)**

The unit involves the skills and knowledge required to monitor the safety of transport activities.

It includes determining and monitoring chain of responsibility features in the Heavy Vehicle National Law (HVNL) or applicable state/territory law and regulations. It also involves administering and monitoring chain of responsibility workplace policies and procedures and identifying and reporting chain of responsibility risks.

Any time you or your business sends or receives goods using a heavy vehicle with a gross vehicle mass of more than 4.5 tonnes, you become part of the supply chain. You therefore have a shared safety management responsibility to prevent breaches of the law. A person may be a party in the supply chain in more than one way and legal liability can apply to their actions, inactions and demands. Some roles that can influence heavy vehicle safety include loading manager, consignee, operator, consignor, scheduler, packer, loader, employer, executive officer and prime contractor.

Contracts that cause or encourage a driver of a heavy vehicle or a party in the chain of responsibility to break the law are illegal.

In a prosecution, the courts may consider the actions of each party in the supply chain. This includes what measures each party had in place to ensure safe practices and prevent breaches of the HVNL occurring. Prosecution will need to demonstrate to the court that a party in the chain of responsibility did not do all that was reasonably practicable to ensure the safety of the party's transport activities.

Heavy Vehicle National Law and Regulations

Background:

The National Heavy Vehicle Regulator (NHVR) administers one set of laws (the HVNL) for heavy vehicles over 4.5 tonnes gross vehicle mass.

*The HVNL commenced on 10 February 2014 in the Australian Capital Territory**, New South Wales, Queensland, South Australia, Tasmania and Victoria. Each of them passed a law that either adopts or duplicates the HVNL (with some modifications) as a law of that State or Territory.*

Although the HVNL has not commenced in Western Australia or the Northern Territory at this time, the HVNL applies equally to vehicles from those jurisdictions when they cross into one of the states or territories where the HVNL applies. In some cases, drivers may also need to comply with certain aspects of the HVNL before they cross the border (eg. work diary requirements).

When leaving the Northern Territory or Western Australia after a stay of more than 7 days, you must use a work diary from at least the last major rest break before crossing the border.

Changes to Chain of Responsibility

New Primary Duty laws in 2018

On 1 October 2018, the Heavy Vehicle National Law (HVNL) will be amended to provide that every party in the heavy vehicle transport supply chain has a duty to ensure the safety of their transport activities. As a party in the supply chain, the best way to do this 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.*

Further information is available on the NHVR website:
<https://www.nhvr.gov.au/safety-accreditation-compliance>

***Minimum 3 participants per group**

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*Conditions Apply