



New Road Transport National Compliance and Enforcement Laws

Information Sheet 2 - Responsibilities across the Transport Chain

Historically, drivers and owners (operators) have been the primary focus for road transport compliance activities.

However, the new road transport legislation recognises that there are many other parties that play a major role in road transport operations and they should also be held legally accountable for their actions.

Parties in the Transport Chain (the Chain of Responsibility)

Under the new legislation, the parties identified as having a legal responsibility are: consignors, packers, loaders, owners (operators), drivers and receivers (consignees). Their obligations and responsibilities are spelt out in the new national legislation and will be mirrored in Western Australia.

Broadly, the responsibilities of each party are:

Consignor

The consignor is the person / company that commissions the carriage of the goods.

They need to understand the legal requirements relating to the transport of goods by road. Simply consigning goods without considering how they are to be transported may make consignors liable if there is a breach during transport.

Packer

When a person / company packs goods for transport by road they must be aware of issues such as weight, size and dimension requirements to ensure that the vehicle is loaded so that it complies with the law.

Loader

When loading vehicles for road transport there is an obligation to consider such aspects as restraints and the physical placement of the load to ensure compliance.

Owners (Operators)

Under current laws in Western Australia, owners have key responsibilities to ensure that vehicles and loads comply with legal requirements before setting off.

Drivers

Under Western Australia's laws, drivers already have key responsibilities to ensure that vehicles and loads comply with legal requirements before setting off and during transport. Because loads can come loose and/or shift during transport, the responsibility of the driver extends to more than just checking the load before setting off.

Receivers (Consignees)

The person / company that takes possession of the goods at the end of the journey has a responsibility to ensure that their actions do not promote or encourage breaches of the road transport laws.

Note: If you are a manager of a business or an employer you may be held liable for breaches committed by an employee.

Further information

The model legislation is available on:

The National Transport Commission web site at:

www.ntc.gov.au/filemedia/Reforms/RTRCandEBill3Nov203.pdf

The Department of Transport web site at:

www.transport.wa.gov.au

If you have further questions, you may e-mail us on: cande@transport.wa.gov.au