



New Road Transport National Compliance and Enforcement Laws

Information Sheet 7 - Container Weight Declarations

To address the issue of the weight of freight containers, the model legislation introduces a requirement for Container Weight Declarations to be provided by certain parties.

The two key aspects are knowing what constitutes a freight container and what defines a declaration.

Freight Containers

The new legislation defines a freight container as:

- a) a re-usable container of the kind mentioned in Australian / New Zealand Standard AS/NZS 3711.1:2000, Freight containers – Classification, dimensions and ratings, that is designed for repeated use for the transport of goods by one or more modes of transport; or
 - b) a re-usable container of the same or a similar design and construction to a container referred to in paragraph (a) above, though of different dimensions; or
 - c) a container of a kind prescribed by the regulations;
- but does not include anything declared by the regulations to be excluded from these definitions.

Container Weight Declaration

A container weight declaration for a freight container is one that states (or purports to state) the weight of the freight container and its contents.

Subject to the regulations, a container weight declaration:

- may be comprised in one or more documents or other formats, including being in electronic form; or
- without limiting the above, may be comprised wholly or partly in a placard attached or affixed to the freight container.

Complying container weight declarations

There is no specific format for a container weight declaration. It does not even have to be a single document; but it must contain certain core information.

A container weight declaration complies with the legislation if it contains the following information:

- the number and other particulars of the freight container necessary to identify the container;
- the name, home address or business address in Australia of the responsible entity*;
- the date of the declaration;
- any other information required by the regulations.

However, a container weight declaration does not comply if:

- the contents of the container weight declaration are not readily available to an authorised officer or police officer who seeks to ascertain its contents, there and then in the presence of the freight container (whether by examining documents located in or on the vehicle or combination or by obtaining the information by radio or mobile telephone or by any other means); or
- It is not in a form that can be used or adapted for evidentiary purposes; or
- It is not in a form that satisfies requirements prescribed by the regulations.



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Parties with responsibility for Container Weight Declarations

Responsible Entity* Obligations

The responsible entity* must provide the operator or driver with a complying container weight declaration before transport of the container begins.

Operator (Owner) Obligations

The operator (owner) must provide the driver with a complying container weight declaration before transport of the container begins.

Driver Obligations

The driver must not drive a vehicle loaded with a freight container without first having been provided with the relevant container weight declaration.

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 for Planning and Infrastructure web site at:

www.transport.wa.gov.au

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

*In relation to a freight container, a 'responsible entity' is:

- (a) the person who consigned the container for transport by road in the relevant jurisdiction if the person was in Australia at the time of consignment; or
- (b) if there is no person as described in paragraph (a) above, the person who (being in Australia) on behalf of the consignor, arranged for the transport of the container by road in the relevant jurisdiction; or
- (c) if there is no person as described in paragraphs (a) and (b) above, the person who (being in Australia) physically offered the container for transport by road in the relevant jurisdiction.