

# “Chain of Responsibility” Legislation Fact Sheet 1 - Overview



## WHAT IS CHAIN OF RESPONSIBILITY?

If you use road transport as part of your business, you share the responsibility of managing the risk.

This means anyone who has control in the transport chain – including the consignor, loader and receiver – can be held legally accountable if, by their actions, inactions or decisions, they cause or contribute to a breach of the road laws.

Put Simply This Means:  
Control = Responsibility  
= Legal Liability

## Why has the chain of responsibility legislation been introduced?

The Chain of Responsibility legislation was passed by the Government of Western Australia in May 2012. The laws have been introduced in the interests of national consistency in order to:

- improve road safety;
- reduce damage to infrastructure;
- promote a 'level playing field' for industry;
- improve deterrence and enforcement; and
- improve business efficiency and compliance

## When will the new laws apply?

The legislation is due to take effect in Western Australia in March 2014 and will apply to all vehicles regardless of size.

## Viewing the legislation?

The Road Traffic (Vehicles) Act 2012 and the Road Traffic (Administration) Act 2008 are accessible on the State Law Publishers website:

[http://www.slp.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_4471\\_homepage.html](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_4471_homepage.html)

[http://www.slp.wa.gov.au/legislation/statutes.nsf/main\\_mrtitle\\_12926\\_homepage.html](http://www.slp.wa.gov.au/legislation/statutes.nsf/main_mrtitle_12926_homepage.html)

## Who is covered by the chain of responsibility?

If you are involved in any of the following road transport activities, you are a party in the 'chain of responsibility' and may be deemed liable in the event of a breach of the road laws:

- + *Consigning* – a person or company commissioning the carrying of goods
- + *Packing* – placing goods in packages, containers or pallets
- + *Loading* – placing or restraining the load of the vehicle
- + *Driving* – the physical act of driving a vehicle
- + *Operating* – operating a business which controls the use of a vehicle
- + *Receiving* – paying for the goods/taking possession of the load

## What do I have to do?

Whichever activity you perform in the 'chain', it is important that you take reasonable steps to manage the risk and ensure road safety is not compromised.

You have a legal obligation not to coerce, induce or encourage a breach of the road transport laws.

Further information on the responsibilities of specific parties in the transport chain can be found in the following fact sheets:

- + Consignor/Receiver – Fact Sheet 2
- + Loader/Packer – Fact Sheet 3
- + Driver – Fact Sheet 4
- + Operator/Manager – Fact Sheet 5

## Further Information

For more information about the Chain of Responsibility call Main Roads, Heavy Vehicle Operations on 138 HVO (138 486), or visit [www.mainroads.wa.gov.au](http://www.mainroads.wa.gov.au)

