

COMPANY NAME

Background

Under the Heavy Vehicle National Law, **Company Name** has obligations to ensure the safety of our transport activities.

Additionally, all parties in the Chain of Responsibility have duties to ensure, so far as reasonably practicable, the safety of these transport activities. This is a shared responsibility. The level and nature of a party's responsibility for a transport activity depends on the capacity to control, eliminate or minimise risk.

We believe that working with all parties along the supply chain will encourage safe and productive transport activities. We are committed to open and effective two-way consultation, cooperation and coordination with our CoR Parties.

Who is a Party in the Chain of Responsibility?

If you have control and influence over transport activities in the transport supply chain as set out under the Heavy Vehicle National Law, then you are party to the Chain of Responsibility. This means that you have obligations under the Heavy Vehicle National Law.

To identify your role or roles in the Chain of Responsibility, you can use the attached **CoR Checklist and Summary of Risk Types and Suggested Controls for Parties in the Transport Industry Chain of Responsibility**.

More information and resources to help are on the National Heavy Vehicle Regulator Website at: <https://www.nhvr.gov.au/safety-accreditation-compliance/chain-of-responsibility>. This includes Frequently Asked Questions and a CoR Assessment Tool. You can also look at the [Master Industry Code](#) to get a good idea of risk types and suggested controls.

What does a Party to the Chain of Responsibility have to do?

Under the Chain of Responsibility, all parties must, so far as is reasonably practicable –

- a. Eliminate public risks, and to the extent it is not reasonably practicable to eliminate public risks, minimise the public risks; and
- b. Ensure the party's conduct does not directly or indirectly cause or encourage:
 - the driver of the heavy vehicle to contravene the HVNL; or
 - the driver of the heavy vehicle to exceed a speed limit applying to the driver; or
 - another person, including another party in the chain of responsibility, to contravene the HVNL

How and when we will engage with CoR Parties - General

As a business with obligations under the Chain of Responsibility, as part of **all Transport Activities**, we will

- share our CoR policies and procedures with other CoR parties to support everyone to develop a consistent understanding of the risks and how we manage these
- talk with other parties in the supply chain about identified risks to encourage everyone to develop a consistent awareness and control of the risk
- identify opportunities for the parties to work together for safety and compliance and to create common solutions and strategies
- share information to positively impact the activities of other CoR parties, for example, safety information and incident reporting
- alert other CoR parties to CoR incidents and non-compliances and work together to review the effectiveness of any remedial actions implemented (observe, record and report)
- alert other CoR parties to practices that have negative impacts, are unsafe, or may breach the HVNL.

Company Name will work with our CoR Parties when we are making improvements to business practices.

Contract Negotiations / Entering Agreements

Company Name will work with relevant CoR Parties when setting up contracts or entering agreements to provide transport activities.

This process will generally include the following steps –

- identify the transport activities and the CoR parties to the activity
- identify risks to the safety of the transport activity and where a CoR party has control or influence
- work with the relevant CoR party to examine the risk and propose practical controls for that risk
- document our controls within the *Company Name's* Risk Register

To do that, we use a Third party Engagement Checklist – which is part of this document. Please complete this Third Party Engagement Checklist and return to us as this will support our goal to manage the safety of transport activities and help identify where we can work together on this goal.

Operational Reviews

Company Name will regularly review areas of our transport activities as part of normal operational monitoring. These reviews will include, but not be limited to, reviews of key CoR responsibilities for

- Fatigue
- Mass, Dimension, Loading and Load Restraint
- Speed
- Vehicle Standards and Maintenance

Company Name may consult with our key supply chain partners as part of these reviews and as part of implementing improvements to our management processes.

Incident Reviews

Company Name will investigate incidents that arise through our transport activities. Where these incidents involve external CoR Parties, we will work with those parties as part of the incident review process.

The nature of the incident will shape how we engage with our CoR Parties. For example, where the actions of a loading manager or loader cause delays to transport activities, we may raise this by email or by phone. Where there is a serious incident involving damage to equipment or injury, we will use more formal processes to engage with relevant CoR parties.

For more information about how we manage safety of the transport activity and Chain of Responsibility please contact:

Name:

Role:

Phone Number:

Email:

Workplace Address:

COMPANY NAME

Third Party Engagement Checklist

Company Name requires some information about your business for safety and compliance purposes. To help ensure we have a safe and productive relationship, please tell us about the transport activities you have the capacity to influence and control.

Please return the completed checklist with copies of any other supporting documents to **(email address)**.

Section 1 – Business details

Business/Owner name:		ACN:	
Trading name (if applicable):			
Postal address:			
Contact person:		Position:	
Mobile number:		Email address:	
Describe your business and the transport activities that you are involved in:			

Section 2 – Business accreditation/certification details

(List current accreditations if applicable, e.g. NHVAS, AS/NZS 4801 Certification, Quality Certification, Safe Foods)

Certification/Accreditation name	Certificate/Accreditation number	Expiry date

Section 3 – Transport activities your business has the capacity to influence and control:

The capacity of your business to influence and control the following transport activities: <i>To ensure that our transport task is carried out safely, please complete the questions in the checklist below so we can gain an understanding of the systems and processes you have in place to manage the hazards and risks associated with transport activities that you have the capacity to influence and control.</i> CAPACITY - The ability of someone to have an effect on something or the behaviour of someone else. CAPACITY - In this context means the ability to control, eliminate or minimise the risk.	
1. Driver licensing, vehicles and vehicle maintenance	
1.1 Is your business responsible for or does it have the capacity to influence and control making sure that drivers have current licences applicable to the class of vehicle they are driving – including Heavy Vehicle driver licences and Dangerous Goods Driver licences where applicable?	
<input type="checkbox"/> No	Move to next question.
<input type="checkbox"/> Yes	Describe your system to ensure driver licences are current and drivers only drive vehicles applicable to their licence class.
Response:	
1.2 Is your business responsible for or does it have the capacity to influence and control vehicle registrations?	
<input type="checkbox"/> No	Move to next question.
<input type="checkbox"/> Yes	Describe your system to track vehicle registrations to ensure they're current.
Response:	

The capacity of your business to influence and control the following transport activities:

To ensure that our transport task is carried out safely, please complete the questions in the checklist below so we can gain an understanding of the systems and processes you have in place to manage the hazards and risks associated with transport activities that you have the capacity to influence and control.

1.3 Is your business responsible for or does it have the capacity to influence and control vehicle maintenance?

- | | | |
|--------------------------|-----|---|
| <input type="checkbox"/> | No | Move to next question. |
| <input type="checkbox"/> | Yes | Describe your system to ensure heavy vehicles under your control are maintained and roadworthy. Your response should also explain the training of drivers and other involved parties so they understand their responsibilities relating to daily checks and fault reporting and maintenance requirements. |

Response:

1.4 Is your business responsible for or does it have the capacity to influence and control the requirement for heavy vehicle gazette notices and permits including the requirement to train drivers in the notice and permit conditions?

- | | | |
|--------------------------|-----|---|
| <input type="checkbox"/> | No | Move to next question. |
| <input type="checkbox"/> | Yes | Describe your system to ensure your business is aware of, and applies for specific heavy vehicle notices and permits when required. Also describe how drivers are made aware of the conditions listed in these notices and permits. |

Response:

1.5 Is your business responsible for or does it have the capacity to influence and control the location a heavy vehicle can travel to, or routes a heavy vehicle can travel on? (For example: B-double and road train routes, specific access permit to your site.)

- | | | |
|--------------------------|-----|--|
| <input type="checkbox"/> | No | Move to next question. |
| <input type="checkbox"/> | Yes | Describe your system to ensure your business is aware of, and applies for, any specific heavy vehicle routes that are applicable to the locations and vehicle types you operate. Also describe how drivers are made aware of these specific heavy vehicle routes and any special conditions that are applicable to these routes. |

Response:

2. Mass, dimension, loading and load restraint

2.1 Is your business responsible for or does it have the capacity to influence and control mass and dimension?

- | | | |
|--------------------------|-----|--|
| <input type="checkbox"/> | No | Move to next question. |
| <input type="checkbox"/> | Yes | Describe your system to ensure heavy vehicles you control or engage do not exceed mass and dimension limits. |

Response:

2.2 Is your business responsible for or does it have the capacity to influence and control container weight declarations?

- | | | |
|--------------------------|-----|--|
| <input type="checkbox"/> | No | Move to next question. |
| <input type="checkbox"/> | Yes | Describe your system to ensure heavy vehicles you control or engage to carry containers have a compliant container weight declaration. |

Response:

2.3 Is your business responsible for or does it have the capacity to influence and control loading and unloading safely?

- | | | |
|--------------------------|-----|---|
| <input type="checkbox"/> | No | Move to next question. |
| <input type="checkbox"/> | Yes | Describe your system to ensure vehicles you control or engage are loaded and unloaded safely. |

Response:

The capacity of your business to influence and control the following transport activities:

To ensure that our transport task is carried out safely, please complete the questions in the checklist below so we can gain an understanding of the systems and processes you have in place to manage the hazards and risks associated with transport activities that you have the capacity to influence and control.

2.4 Is your business responsible for or does it have the capacity to influence and control loading and unloading delays?

No Move to next question.

Yes Describe your system to notify drivers about delays when loading and unloading.

Response:

2.5 Is your business responsible for or does it have the capacity to influence and control load restraint?

No Move to next question.

Yes Describe your system to ensure loads are restrained appropriately and safely.

Response:

3. Vehicle speed

3.1 Is your business responsible for or does it have the capacity to influence and control vehicle speed?

No Move to next question.

Yes Describe your system to ensure your business does not directly, or indirectly, cause or encourage drivers of heavy vehicles to exceed the posted speed limits.

Response:

3.2 Is your business responsible for or does it have the capacity to influence and control speed limiters?

No Move to next question.

Yes Describe your system to ensure your vehicle speed limiters are working as intended and not being tampered with.

Response:

4. Driver fatigue

4.1 Is your business responsible for or does it have the capacity to influence and control scheduling and rostering?

No Move to next question.

Yes Describe your system for scheduling and rostering drivers and vehicles.

Response:

4.2 Is your business responsible for or does it have the capacity to influence and control trip planning?

No Move to next question.

Yes Describe the system your business uses for trip planning.

Response:

4.3 Is your business responsible for or does it have the capacity to influence and control fitness for duty?

No Move to next question.

Yes Describe the system your business uses to ensure drivers are fit for duty.

Response:

4.4 Is your business responsible for or does it have the capacity to influence and control driving hours?

No Move to next question.

Yes Describe the system your business uses to ensure drivers comply with lawful driving hours.

Response:

The capacity of your business to influence and control the following transport activities:

To ensure that our transport task is carried out safely, please complete the questions in the checklist below so we can gain an understanding of the systems and processes you have in place to manage the hazards and risks associated with transport activities that you have the capacity to influence and control.

5. Training and education

5.1 Is your business responsible for or does it have the capacity to influence and control **site inductions?**

<input type="checkbox"/> No	Move to next question.
<input type="checkbox"/> Yes	Describe the system your business uses for inducting other involved parties who are carrying out transport activities on your behalf.
Response:	

5.2 Is your business responsible for or does it have the capacity to influence and control **safety management system training?**

<input type="checkbox"/> No	Move to next question.
<input type="checkbox"/> Yes	Describe the system your business uses to inform other involved parties about relevant SMS information at your site.
Response:	

Section 4 – Other supporting documents

Please provide copies of the following documents if applicable (click the checkbox to confirm you have supplied a current copy):

<input type="checkbox"/> Business registration certificate
<input type="checkbox"/> Public liability insurance
<input type="checkbox"/> Workers compensation (WorkCover) insurance
<input type="checkbox"/> Business accreditation/certification certificates
<input type="checkbox"/> Other relevant documentation (Audit report, Safety Policy, etc.) Attached for your information: <ul style="list-style-type: none">○○

Thank you for taking the time to complete and submit our Third Party Engagement Checklist. This will support us to manage the safety of our transport activities. We recognise that your privacy and commercial in-confidence information is very important and we are committed to protecting the privacy of the information we collect from you. The Privacy Act 1988 governs the way in which we must manage your personal information.

This Third Party Engagement Checklist was reproduced from a template provided by the National Heavy Vehicle Regulator (NHVR). This template and other resources – including instructions to complete the template - are freely available at this link: <https://www.nhvr.gov.au/safety-accreditation-compliance/safety-management-systems/sms-guidance-material-and-templates>