

3rd SEPTEMBER 2015

---



## **COR Adviser goes to the ALC's Compliance Summit**



Once a year, the Australian Logistics Council brings together some of the leading thinkers (and doers) from industry, government and

academia to discuss the burning questions facing heavy vehicle road safety across the nation.

It's a chance to hear from entrepreneurs who are coming up with innovative technological solutions to make linehaul and rural driving safer, and from researchers who are taking the qualitative and quantitative experiences of Australian business to see what works for them – and what doesn't.

When the COR Adviser team attended the Supply Chain Safety and Compliance summit last week, it was also a chance to discuss how the chain of responsibility legal regime has been working so far – and what lies over the next hill.

Our Editor-in-Chief, Geoff Farnsworth, was joined by contributors Nathan Cecil and Danella Wilmshurst in a series of enlightening panel sessions on the compliance challenges to everyone in the supply chain - from heavy vehicle operators to big consignors and consignees.

### **Significant takeaways**

As you might expect, those at the coalface had plenty to say.

#### *A lethal combination*

Federal and state regulators estimate that 40% of heavy vehicle accidents are still being caused by speeding or fatigue. More alarmingly still, 13% of crashes involved illicit substances like amphetamine, cannabis and methadone.

The 'downer' drugs are being used by some drivers to 'take the edge' off amphetamine and associated substances. As you'd imagine, this is less a healthy equilibrium than it is a lethal combination.

Companies in the transport supply chain do not have a CoR obligation to ensure drivers do not need to take drugs to do their jobs. But regulators and courts alike are watching carefully for the patterns – especially if they point to lapses in fatigue management.

#### *What's going on down the chain?*

The National Heavy Vehicle Regulator (NHVR) shed light on one of the chief enforcement challenges they and their State counterparts face. It's operators who don't realise they are ultimately responsible for their subcontractors.

These prime contractors aren't necessarily the sort to go breaking the rules themselves. The problem is that they think that their obligations are transferred from themselves to the operators or drivers beneath them – and it's simply not the case.

#### *The Duties Review continues*

The National Transport Commission (NTC) talked about their next steps in CoR reform, and emphasised a need to resolve the inconsistencies between the broad “reasonably practicable” duties on a business under national health and safety laws and the “all reasonable steps” requirement of CoR law.

They believe the outcome of their present Duties Review will be a reduction in red tape. Through less prescriptive and complex legislation, businesses will find it easier to create innovative and effective solutions. And enforcement agencies will be able to better focus and deal with the more serious breaches of the rules.

### *NSW Minister puts the blast on his counterparts*

In his keynote address, NSW Roads, Maritime and Freight Minister Duncan Gay talked up his state regulator’s enforcement efforts. What’s more, he grilled his counterparts on what they were (or weren’t) doing.

He noted that NSW has been responsible for almost 90 per cent of all CoR prosecution to date, and that a growing number of those (800 out of 5200) have been against consignors and consignees.

This suggests that, despite some criticism of the current form, CoR is beginning to work as expected and reach right up the supply chain. And no one likes to get bettered in a state-to-state stoush. Going forward, we should expect to see some of the states that have been quieter so far rising to Gay’s challenge.

When they do, will you be ready?

[Click here to sign up for a free 30-day trial of CoR Adviser.](#)

Until next time,

**The CoR Adviser Team**

---

## News in Brief

- ▶ **The Road Safety Remuneration Tribunal (RSRT) has issued a draft decision setting safe rates for contractor drivers. Submissions on the decision are due by September 23 2015.**
- ▶ **New research from the University of NSW suggests**

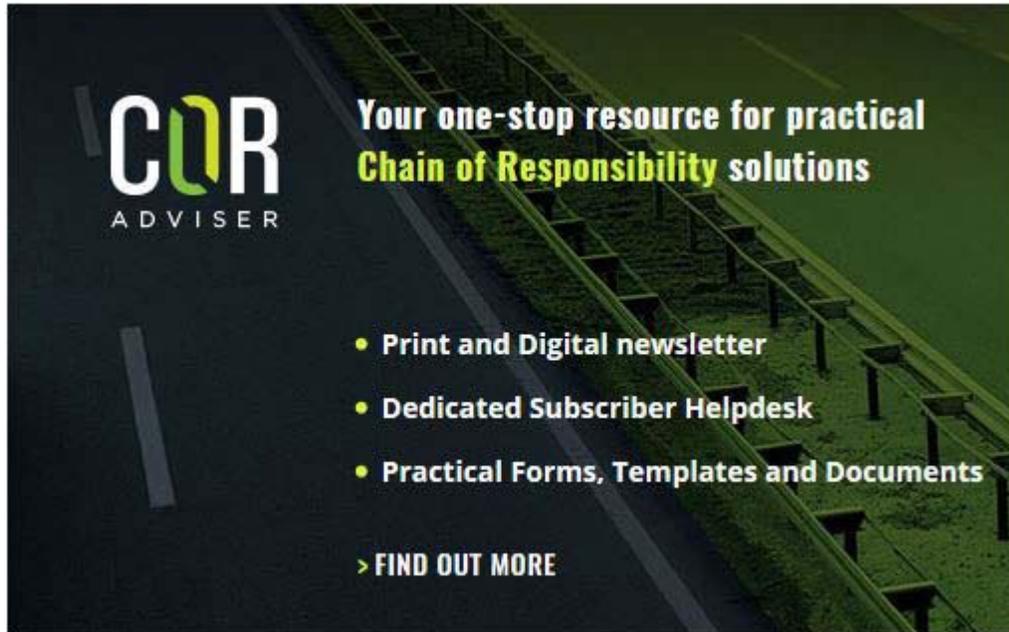


## COR Helpdesk service

Unlimited access to our team of Chain of Responsibility legal experts. Get your questions answered today.

that active and responsive management attitudes toward workplace safety are central to reducing freight operator accidents.

[FIND OUT MORE](#)

A banner for CoR Adviser featuring a background image of a road with a green and white striped center line. The text is overlaid on the left side of the road.

**CoR**  
ADVISER

Your one-stop resource for practical  
**Chain of Responsibility** solutions

- Print and Digital newsletter
- Dedicated Subscriber Helpdesk
- Practical Forms, Templates and Documents

> [FIND OUT MORE](#)

Please whitelist the *CoR Bulletin* to make sure you get every edition delivered to your inbox.

The information in this email is intended solely for the addressee. Access to this email by anyone else is unauthorised. If you are not the intended recipient, please return the message to the sender and delete it from your records. All content is © 2007-2015 Portner Press Pty Ltd All Rights Reserved.

**Disclaimer:** We research our recommendations and articles thoroughly, but disclaim all liability for any inaccuracies or omissions found in our publications. Click here to view our [privacy policy](#) and [terms and conditions](#)

**Queries:** For general enquiries, email [cs@portnerpress.com.au](mailto:cs@portnerpress.com.au) or call 1300 782 911.

**Syndication:** To republish a *CoR Bulletin* article, please email [cs@portnerpress.com.au](mailto:cs@portnerpress.com.au) for information.

Portner Press Pty Ltd  
96-98 Bridport Street  
Albert Park VIC 3206  
Australia

To unsubscribe from the *CoR Bulletin*, please [click here](#).