



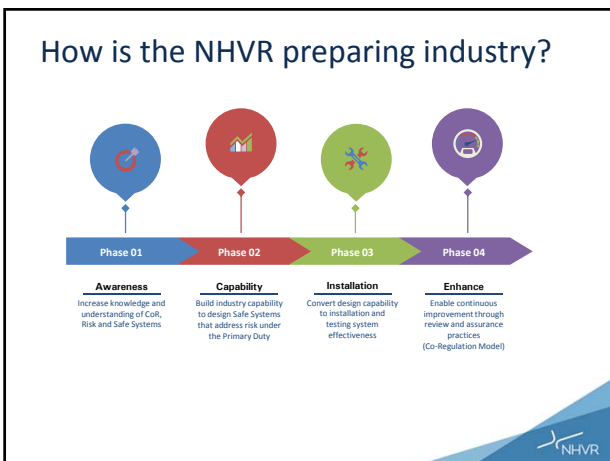
Chain of Responsibility law is changing

What? Why? When?

Current Regime	2018
Deemed Liability	Primary Duty
Reasonable Steps	So Far as Reasonably Practicable
Onus on Defendant	Onus returns to Prosecution
Fatigue, Speed, MDL	Vehicle Standards added
Executive Officers after Corporation	Positive Duty
Focus upon driving breaches	Focus upon Business Practices

- ### Benefits of a Primary Duty
- **Alignment of systems**
 - Risk processes
 - Risk frameworks
 - Meets both regulatory standards
 - **Manage Safety across entire business**
 - Integration across supply chain
 - **Minimise costs (reduction of regulatory burden)**
 - Outcome focus vs. Compliance focus

- ### What does Compliance look like?
- Systems thinking**
- Strategic approach – integration
 - Business practices treat risk
 - Obligations and requirements are risks
 - Documented policies & procedures
 - Documented Risk Management
 - Stakeholder engagement (what do you need to know)
 - Assurance (test of effectiveness)
 - Communication/Education



- ### Why will Codes of Practice be important?
- Establish *standards* and *procedures* for parties to *identify, analyse, evaluate* and *mitigate* general risks associated with meeting obligations under the Heavy Vehicle National Law (HVNL).
 - **Describes for the court:**
 - What is known about a risk, risk assessment and risk controls; and
 - What is reasonably practicable (new s.632A)
 - Standard that investigators and the court may apply
 - **Currently seven (7) under development**
 - Master Codes
 - Sector specific codes

