

<b>BUCCINI TRANSPORT</b> <b>STANDARD OPERATING PROCEDURE</b> <b>CONTAINER WEIGHT DECLARATIONS</b>	<b>Code</b>	<b>SOPCWD</b>
	<b>Version</b>	<b>1</b>
	<b>Authorised By</b>	
	<b>Date</b>	<b>01/09/2008</b>
	<b>Page No</b>	<b>Page 1 of 2</b>

Parties Involved	Consigners, Operators, Drivers, Consignees
Additional Reference Material	Compliance and Enforcement Legislation Chain of Responsibility Legislation

The following information is provided as a guide for transporting freight containers

<b>DEFINITIONS</b>	
<b>Freight Container</b>	A re-usable container that is designed for repeated use for the transport of goods.
<b>Container Weight Declaration (CWD)</b>	States of purports to state the weight of a container and its contents.
<b>Complying (CWD)</b>	<p>Is a (CWD) that has the:</p> <ul style="list-style-type: none"> <li>• Number and other particulars necessary to identify the container</li> <li>• Name and Address of consigner</li> <li>• Date of the Declaration</li> </ul> <p>That is in a form that:</p> <ul style="list-style-type: none"> <li>• Can be readily read by the inspector</li> <li>• Can be adapted for evidentiary purposes</li> </ul> <p>And</p> <ul style="list-style-type: none"> <li>• Can be one or more documents</li> <li>• Placard attached or fixed to the container</li> </ul>
<b>Who is the consignor, If the consignor was not in Australia at the time the container was consigned for transport?</b>	<ul style="list-style-type: none"> <li>• The person in Australia who arranged for the transport of the container by road</li> <li>• The person who physically offered the container for transport by road.</li> <li>• May also referred to as the “Responsible Entity”</li> </ul>

<b>DUTIES</b>	
<b>Duty of Consignor</b>	<p>A consignor must ensure that the operator or driver of the vehicle:</p> <ul style="list-style-type: none"> <li>• Is provided with a complying (CWD)</li> <li>• Before the start of the transport of the</li> </ul>

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	<b>Page No</b>	<b>Page 2 of 2</b>

	<p>container.</p>
<b>Duty of Operator</b>	<p>An operator who arranges for a Freight Container to be transported must ensure that:</p> <ul style="list-style-type: none"> <li>• The driver is given a complying (CWD) before the start of the journey</li> <li>• If another carrier is to transport the container, they have a (CWD) before receiving the container</li> </ul>
<b>Duty of Driver</b>	<p>A driver must not drive a vehicle loaded with a freight container:</p> <ul style="list-style-type: none"> <li>• Unless the driver has been provided with a (CWD)</li> </ul> <p>And</p> <ul style="list-style-type: none"> <li>• The (CWD) must be kept in or near the vehicle so it can be accessed readily from the vehicle.</li> </ul>
<b>Consignee Liability</b>	<p>A consignee is taken to have intended a breach in relation to a freight container if they knew or reasonably ought to have known:</p> <ul style="list-style-type: none"> <li>• A complying (CWD) was not provided</li> </ul> <p>or</p> <ul style="list-style-type: none"> <li>• It contained information about the weight that was false or misleading.</li> </ul>
<b>REASONABLE STEPS DEFENCE</b>	
<p><b>A reasonable steps defence will be available to consignors, drivers and operators for (CWD) if the person can demonstrate</b></p>	<ul style="list-style-type: none"> <li>• They did not know about the breach and/or they could not be expected to know about the breach</li> </ul> <p>And either</p> <ul style="list-style-type: none"> <li>• Took all reasonable steps to prevent a breach or</li> <li>• There were no steps that could be taken</li> </ul>