

Module 3.13 HAULAGE		STATEMENT OF INTENT Sugarcane is transported efficiently and safely with spillage and overloading avoided
Measures		Notes
Better management practice	<ul style="list-style-type: none"> <li>The loading and transport operation is RTMS certified</li> </ul>	<p><b>RTMS accreditation</b></p> <p>The Road Transport Management System (RTMS) is a voluntary, self-regulation scheme that encourages operators and consignors engaged in freight logistics to implement recommended practice that contributes to the preservation of roads infrastructure, improves road safety and increases the productivity of the logistics strategy. Transport operators who invest in becoming RTMS accredited are recognised for their commitment to responsible business through a series of concessions. It will be a self-administered scheme which supports the principles of good corporate governance, implemented by participating companies.</p> <p>Participants adhere to agreed standards in the following areas:</p> <ul style="list-style-type: none"> <li>Load optimisation</li> <li>Driver wellness</li> <li>Vehicle maintenance</li> <li>Productivity.</li> </ul> <p><i>Consult the RTMS website (<a href="http://www.rtms.co.za">www.rtms.co.za</a>) for more information and details on becoming accredited</i></p>
Legal requirement	<ul style="list-style-type: none"> <li>A grower identifies him/herself as a Consignor if he transports greater than 500t cane in a month</li> </ul>	<p>Haulage of sugarcane consists of two practices, namely loading and transport. Both practices have certain legal responsibilities for the grower, depending on whether he/she performs the function themselves or employs the services of a contractor.</p> <p><b>Establishing levels of responsibility for loading and haulage operations</b></p> <p><b><i>Consignor/Consignee Road Freight Legislation and Overloading</i></b></p> <p>New regulations associated with Sections 49, 74A and 74B of the National Road Traffic Act (Act No 93 of 1996) were published in October 2014 and became effective on 31 January 2015. These regulations (330 A, B, C and D) could have severe financial and practical implications that affect <u>all players</u> in the transporting of goods of more than 500 tons per any one month, on public roads in South Africa.</p>

Legal requirement	<p>In the regulations, a consignor has been defined as follows:</p> <p>"...a person excluding a consignor of dangerous goods in terms of regulation 273, who is named or otherwise identified as the consignor of goods in the goods declaration relating to the transportation of more than 500 000 kilograms of goods in a month by road or engages an operator of a vehicle, either directly or indirectly or through an agent or other intermediary, to transport the goods by road or has possession of, or control over, the goods immediately before the goods are transported by road or loads a vehicle with the goods, for transport by road, at a place where goods are stored in bulk or temporarily held but excludes a driver of the vehicle, or any person responsible for the normal operation of the vehicle during loading;"</p> <p>A sugarcane grower (with a monthly load greater than 500 tons) can therefore be considered a consignor if he "has possession of...the goods [cane] immediately before the goods are transported by road or loads a vehicle with the goods..." making these regulations applicable to the grower, regardless of whether a contractor is used for loading and/or road transport.</p> <p>In other words, the grower, loading operator and road transport operator are all regarded as consignors and have to consider this legislation.</p> <p>Regulations 330A and B directly affect the Consignor and, to a lesser extent, the Consignee. These state:</p> <p><b>"330A. Offering and acceptance of goods on overloaded vehicle prohibited</b></p> <p>(1) A consignor or consignee of goods shall not offer goods or accept goods if the vehicle in which it is transported is not loaded in terms of the provisions for the loading and transportation of goods as prescribed in this Act.</p> <p>(2) A consignor shall require from the operator of the vehicle in which the goods he or she offers for transport and in which the goods will be transported, a written submission as to the payload of such vehicle and the distribution of such load on a vehicle.</p> <p>(3) If a consignor is responsible for the loading of a vehicle of an operator, he or she shall take such steps as are necessary to ensure that the vehicle is loaded as contemplated in subregulation (1) and (2).</p> <p>(4) A consignor or consignee shall not conclude a contract with the operator to transport goods on a vehicle, if the vehicle is overloaded when such load is transported on such vehicle."</p>
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Legal requirement		<p><b>"330B. Consignor to have a method of determining mass</b></p> <p>(1) A consignor shall use a method of establishing the mass of a vehicle and any axle or axle unit of such vehicle that is accurate as to ensure that such vehicle axle or axles are not overloaded in terms of Part IV of Chapter VI.</p> <p>(2) A consignor shall keep a record of the mass of every load transported from his or her premises as contemplated in subregulation (1).</p> <p>(3) The record as contemplated in subregulation (2) shall be put at the disposal of any traffic officer or person appointed as contemplated in section 50 or authorised as contemplated in section 82 of the Act".</p> <p><b>"330C. Goods declaration to be carried on a motor vehicle</b></p> <p>A person operating on a public road a motor vehicle which carries goods shall be in possession of a declaration containing the following information:</p> <ul style="list-style-type: none"> <li>• the licence number of each vehicle in the combination of vehicles;</li> <li>• the nature and quantity of goods transported;</li> <li>• the contact particulars of the operator or in the case of a combination of vehicles, of every operator in the combination of vehicles;</li> <li>• the particulars of the consignor and consignee of the load or in the case of loads collected at and delivered to more than one consignor and consignee, the particulars of every consignor or consignee;</li> <li>• the name, residential and postal address of every natural person or in the case of a juristic person, the responsible director or member, an agent, consignor, consignee or operator listed in the declaration;</li> <li>• the consignor and operator shall conclude a written agreement for the transportation of goods stating- <ul style="list-style-type: none"> <li>(i) the nature of the agreement;</li> <li>(ii) the loading instructions; and</li> <li>(iii) the responsibilities of the parties.</li> </ul> </li> <li>• schedule of insurance as contemplated in regulation 330D".</li> </ul> <p><b>"330D. Consignor or Consignee to insure goods to be carried on a motor vehicle</b></p> <p>A consignor or consignee of goods shall not transport goods on a public road or accept goods unless such transportation is fully insured for damages that can occur as a result of an incident. "</p>
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