

Chain of responsibility statement

September 2020

Chain of Responsibility for Trucking / Shipping

Sanwa Pty Ltd is an Australian trading company handling the importing of a variety of products which largely but not exclusively fall into a raw materials category. It buys from reputable manufacturers around the world who mostly sell to Sanwa on a FOB port of overseas origin or CFR port of typically Australia/ New Zealand destination. The movement of the cargo to the final destination is usually handled by the Manufacturer or Sanwa or the final consignee in containers or breakbulk. The cargo movement will almost always involve shipping and also trucking. Sanwa does not inspect the cargo before it is loaded on board the vessel or into the container but relies on our suppliers taking all reasonable precautions to ensure that the cargo is at all times loaded safely. All contracts with our suppliers include implicit and or stated terms that all product must be loaded safely so that the movement of the product does not risk damage to the product or injury to anyone involved directly or indirectly with the movement of the product.

Sanwa does not operate its own trucking company or its own trucks but rather contracts with third party trucking companies who perform the job of handling the cargo which includes but is not limited to moving the cargo, unpacking containers and loading trucks, storage and other odd jobs associated with the movement or storage of the cargo. For ease of identification and reference these Third Party Trucking Companies contracted on a temporary basis for specific deliveries are referred to as the Trucking Company ,

Sanwa understands that it is a party to the supply chain and has responsibilities under the Chain of Responsibility as typically it is the documentary consignor of the goods for transport.

Sanwa does not inspect the cargo before the cargo is loaded on board the ship, after unloading off the ship or after the container is unpacked. Rather it relies on the experience and expertise of its Trucking Company to handle all aspects of the movement and or unpacking of the cargo. When explicit instructions are given for the movement of cargo by these third party transport contractors they include a requirement to ensure that all details of the Australian Heavy Vehicle National Law (HVNL) are followed and that the safety of all parties in the supply chain is paramount. Sanwa makes it very clear from the most senior management who have signed this document, that the details of the HVNL must at all times be followed and if there is anyone either working for Sanwa or as a contract party of Sanwa or otherwise who ever puts pressure on anyone else within the supply chain to work in a non-safe manner or in breach of any of the details of the HVNL, then that pressure must be resisted. There are no circumstances when the HVNL should not be followed in its entirety and any of the below signed should be contacted if there is ever any pressure to breach the provisions of the HVNL with respect to the movement of Sanwa cargo

Sanwa is aware that some of the ways that the HVNL has been breached by others in the industry before includes but is not limited to:

- when a party's business practices cause or encourage the driver of a heavy vehicle to exceed the speed limits
- when a party's business practices cause or encourage the driver of a heavy vehicle to breach mass, dimension, or loading requirements
- a consignor or consignee having unrealistic contractual arrangements which causes or encourages the driver to exceed regulated driving hours or drive whilst fatigued
- where instructions, actions or demands to parties in the supply chain cause or contribute to any offence under the HVNL.

Sanwa wishes to make it very clear that all instructions to the Trucking Company who is responsible for the unpacking/loading or cargo movement is conditional on --

- Keeping within all local speed limits and road laws at all times
- Moving all cargo strictly on the basis that all mass/ dimension or loading requirements of the cargo to ensure full compliance with the HVNL are met.
- Compliance with all Government regulated driving hours and fatigue resting hours.
- Compliance with all and any other details of the HVNL

There are no circumstances where the Trucking Company has Sanwa permission to become involved in any way with the movement of Sanwa cargo in a manner which does not fully conform with HVNL

The Trucking Company must make their normal day to day Sanwa contact aware, if they become aware of any of the following occurrences

- Goods arrive which are damaged
- Goods arrive where the container is damaged
- Goods arrive where the condition or the cargo or the container may be a danger to anyone else in the supply chain.
- The condition of the cargo can be improved in relation to the arrival condition of the cargo or the arrival safety of the cargo

In the event that they are not satisfied that the matter is being adequately handled by their normal Sanwa contacts they should and must approach the under-signed.

Signed on September 17, 2020



David Roberts
Sanwa Trading Director



Daniel Ferster
Sanwa CEO