



AUSTRALIAN CAPITAL TERRITORY

Dangerous Goods (Amendment) Act 1998

No. 36 of 1998

An Act to amend the *Dangerous Goods Act 1984* and for related purposes

[Notified in ACT Gazette No. 41: 14 October 1998]

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1. Short title

This Act may be cited as the *Dangerous Goods (Amendment) Act 1998*.

2. Commencement

This Act commences on the day on which it is notified in the *Gazette*.

3. Principal Act

In this Act, “Principal Act” means the *Dangerous Goods Act 1984*.¹

4. Application

Section 4 of the Principal Act is amended by inserting after subsection (2) the following subsections:

“(3) The Dangerous Goods Act and the Dangerous Goods Regulation do not apply to the transport of dangerous goods by road.

“(4) In subsection (3)—

‘dangerous goods’ does not include a substance or article declared by the Dangerous Goods Regulation to be a dangerous good to which this definition applies;

‘transport’, in relation to dangerous goods, includes—

- (a) the packing, loading and unloading of the goods, and the transfer of the goods to or from a vehicle, for the purpose of their transport;
- (b) the marking of packages and unit loads containing dangerous goods, and the placarding of containers and vehicles in which dangerous goods are transported; and
- (c) other matters incidental to their transport.”.

5. Consequential amendments

(1) The Dangerous Goods Act is amended as set out in Part 1 of the Schedule.

(2) The Dangerous Goods Regulation is amended as set out in Part 2 of the Schedule.

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SCHEDULE

Section 5

PART 1

Dangerous Goods Act, 1975 (NSW) in its application in the Territory

Section 10A—

After section 10 insert the following section:

“10A. Transport of small quantities or short trips after import

“(1) Nothing in section 10 shall be taken to require a licence for the transport of dangerous goods in the circumstances specified in regulations 1.10 and 1.11 of the *Road Transport Reform (Dangerous Goods) Regulations* of the Commonwealth.

“(2) In subsection (1)—

‘transport’, in relation to dangerous goods,
includes—

- (a) the packing, loading and unloading of the goods, and the transfer of the goods to or from a vehicle, for the purpose of their transport;
- (b) the marking of packages and unit loads containing dangerous goods, and the placarding of containers and vehicles in which dangerous goods are transported; and
- (c) other matters incidental to their transport.”part 2

SCHEDULE—continued

***Dangerous Goods Regulation, 1978 (NSW) in its
application in the Territory***

Clause 16A—

After clause 16 insert the following clause:

“16A. Transport of dangerous goods by road

“(1) For the purposes of the definition of dangerous goods in subsection 4 (4) of the *Dangerous Goods Act 1984*, the following are declared to be dangerous goods to which that definition applies:

- (a) Class 1 (Explosives) of the ADG Code;
- (b) Class 6.2 (Infectious substances) of the ADG Code;
- (c) Class 7 (Radioactive material) of the ADG Code.

“(2) In subclause (1)—

‘ADG Code’ has the same meaning as in the *Road Transport Reform (Dangerous Goods) Regulations* of the Commonwealth.”.

NOTE

Principal Act

1. Reprinted as at 31 January 1998.

[Presentation speech made in Assembly on 25 June 1998]

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