



AUSTRALIAN CAPITAL TERRITORY

## **Dangerous Goods (Amendment) Act 1999**

**No. 25 of 1999**

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### **An Act to amend the *Dangerous Goods Act 1975* of the State of New South Wales in its application in the Territory**

*[Notified in ACT Gazette S22: 6 May 1999]*

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 1999*.

**2. Commencement**

(1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.

(2) Section 4 commences on a day fixed by the Minister by notice in the *Gazette*.

(3) If section 4 has not commenced before the end of the period of 6 months commencing on the day on which this Act is notified in the *Gazette*, that section, by force of this subsection, commences on the first day after the end of that period.

**3. Principal Act**

In this Act, “Principal Act” means the *Dangerous Goods Act 1975* of the State of New South Wales in its application in the Territory.<sup>1</sup>

**4. Proceedings for offences**

Section 33 of the Principal Act is amended—

- (a) by omitting from subsection (3) “Notwithstanding anything in any other Act,” and substituting “Subject to subsection (4),”; and

- (b) by adding at the end the following subsections:

“(4) If a Coroner’s inquest or inquiry is held and it appears from the Coroner’s report or from proceedings at the inquest or inquiry that an offence has been committed against this Act, proceedings in respect of the offence may be commenced in the Magistrates Court before—

- (a) the expiration of the period of 2 years after the act or omission alleged to constitute the offence; or  
(b) the expiration of the period of 1 year after the day on which the report was made or the inquest or inquiry was concluded, as the case may be;

whichever is the later.

“(5) Subsection (4) applies in relation to an offence against this Act whether the act or omission alleged to constitute the offence occurred before or after the commencement of that subsection.”.

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**NOTE**

**Principal Act**

1. Reprinted as at 1 January 1996. See also Acts Nos. 36 and 54, 1998.

*[Presentation speech made in Assembly on 17 February 1999]*