

1998
THE LEGISLATIVE ASSEMBLY
FOR THE AUSTRALIAN CAPITAL TERRITORY

(As presented)

(Minister for Urban Services)

Dangerous Goods (Amendment) Bill 1998

A BILL

FOR

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

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

1. Short title

5 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

10 **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)—

5 ‘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—

- 10 (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.”.

15 **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.

SCHEDULE

Section 5

PART 1

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

5 **Section 10A—**

After section 10 insert the following section:

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

10 “(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—

- 15 (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
- 20 (c) other matters incidental to their transport.”.

PART 2

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

Clause 16A—

5 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:

- 10 (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)—

15 ‘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