



Australian Capital Territory

Dangerous Substances (General) Regulation 2004

SL2004-56

made under the

Dangerous Substances Act 2004

Republication No 28

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About this republication

The republished law

This is a republication of the *Dangerous Substances (General) Regulation 2004*, made under the *Dangerous Substances Act 2004* (including any amendment made under the [Legislation Act 2001](#), part 11.3 (Editorial changes)) as in force on 29 March 2018. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 29 March 2018.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the [Legislation Act 2001](#) applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The [Legislation Act 2001](#), part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see [Legislation Act 2001](#), s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register (www.legislation.act.gov.au). For more information, see the home page for this law on the register.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the [Legislation Act 2001](#), section 95.

Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see [Legislation Act 2001](#), s 133).



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Dangerous Substances Act 2004

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Australian Capital Territory

Dangerous Substances (General) Regulation 2004

made under the

[Dangerous Substances Act 2004](#)

Chapter 1 Preliminary

1 Name of regulation

This regulation is the *Dangerous Substances (General) Regulation 2004*.

3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

Note 1 The dictionary at the end of this regulation defines certain terms used in this regulation, and includes references (*signpost definitions*) to other terms defined elsewhere.

For example, the signpost definition ‘*asbestos-related work*—see the *Work Health and Safety Regulation 2011*, dictionary.’ means that the term ‘asbestos-related work’ is defined in that dictionary and the definition applies to this regulation.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

Note See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

6 Meaning of *ensure*

- (1) This section applies if a provision of this regulation requires a person to *ensure* that something is or is not done in relation to a dangerous substance.
- (2) The requirement is satisfied if the person takes reasonable steps to eliminate the hazards, and eliminate or minimise the risks, that might result if the requirement were not met.

- (3) Subsection (2) does not limit the ways in which the requirement may be satisfied.

Note The following terms are defined in the [Act](#):

- **hazard** (see s 15 (1))
- **risk** (see s 15 (2))
- **reasonable steps** (see s 16).

7 Offences against regulation—application of Criminal Code etc

Other legislation applies in relation to offences against this regulation.

Note 1 *Criminal Code*

The [Criminal Code](#), ch 2 applies to all offences against this regulation (see Code, pt 2.1).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg **conduct**, **intention**, **recklessness** and **strict liability**).

Note 2 *Penalty units*

The [Legislation Act](#), s 133 deals with the meaning of offence penalties that are expressed in penalty units.

Chapter 3 Asbestos and asbestos containing material

Part 3.1 Important concepts

300 Object—ch 3

The object of this chapter is to protect people against the risk of asbestos-related disease resulting from exposure to airborne asbestos fibres.

301 Meaning of *asbestos containing material (ACM)*—ch 3

In this chapter:

asbestos containing material (ACM)—see the [Work Health and Safety Regulation 2011](#), dictionary.

Part 3.3 Asbestos management— non-workplace premises

311 Application—pt 3.3

- (1) This part applies to premises if—
 - (a) asbestos or asbestos containing material is being removed from the premises; and
 - (b) at the time the asbestos or asbestos containing material is being removed, the premises are not a workplace.
- (2) However, this part does not apply to premises if the removal of asbestos or asbestos containing material is incidental to minor or routine maintenance work, or other minor work, at the premises.
- (3) In this section:
workplace—see the *Work Health and Safety Act 2011*, section 8.

312 Removal of asbestos or ACM from premises

- (1) A person must not remove asbestos or asbestos containing material from premises unless the person is a licensed asbestos removalist, licensed to remove the asbestos or asbestos containing material.
Maximum penalty: 40 penalty units.
- (2) An offence against this section is a strict liability offence.

313 Asbestos removal control plan

- (1) A licensed asbestos removalist must prepare an asbestos removal control plan for any licensed asbestos removal work the removalist is commissioned to undertake.
Maximum penalty: 40 penalty units.

- (2) An asbestos removal control plan must include—
 - (a) details of how the asbestos removal will be carried out, including the method to be used and the tools, equipment and personal protective equipment to be used; and
 - (b) details of the asbestos to be removed, including the location, type and condition of the asbestos.
- (3) The licensed asbestos removalist must give a copy of the asbestos removal control plan to the person who commissioned the licensed asbestos removal work.

Maximum penalty: 24 penalty units.

- (4) An offence against this section is a strict liability offence.

314 Asbestos removal control plan to be kept and available

- (1) Subject to subsection (2), a licensed asbestos removalist must ensure that a copy of the asbestos removal control plan prepared under section 313 is kept until the asbestos removal work to which it relates is completed.

Maximum penalty: 24 penalty units.

- (2) If a notifiable incident occurs in connection with the asbestos removal work to which the asbestos removal control plan relates, the licensed asbestos removalist must keep the asbestos removal control plan for at least 2 years after the incident occurs.

Maximum penalty: 24 penalty units.

- (3) The licensed asbestos removalist must ensure that, for the period for which the asbestos removal control plan must be kept under this section, a copy is—
- (a) readily accessible to—
 - (i) the person who commissioned the licensed asbestos removal work; and
 - (ii) if the asbestos removal work is to be carried out in residential premises—the occupants of the premises; and
 - (b) available for inspection under the Act.

Maximum penalty: 24 penalty units.

- (4) An offence against this section is a strict liability offence.

Part 3.5 Asbestos management— residential premises

337 Application—pt 3.5

This part applies to residential premises (*affected residential premises*) that contain or have contained loose-fill asbestos insulation.

338 Definitions—pt 3.5

In this part:

approved warning sign means a warning sign that—

- (a) complies with the standard approved under section 339 (1) (a); and
- (b) is displayed in the way, and in a place, approved under section 339 (1) (b).

asbestos contamination means loose-fill asbestos contaminated dust or debris.

asbestos contamination report, for affected residential premises—see section 341 (1).

contamination management plan—see section 341 (1) (c).

licensed asbestos assessor—see the *Work Health and Safety Regulation 2011*, dictionary.

licensed asbestos removalist—see the *Work Health and Safety Regulation 2011*, dictionary.

living areas, of premises, means all internal areas of the premises other than—

- (a) the roof space, wall cavity or sub-floor area; and

- (b) any shed, carport or other structure that is not attached to the main structure of the premises.

regulator—see the *Work Health and Safety Act 2011*, dictionary.

residential premises—see the *Act*, section 47N (6).

339 Asbestos warning signs—approval

- (1) The Minister may approve the following in relation to a warning sign about loose-fill asbestos insulation:
 - (a) the standard with which the warning sign must comply;
 - (b) the way, and the place where, the warning sign must be displayed.

Example—place

a sticker in the switchboard

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see *Legislation Act*, s 126 and s 132).

- (2) An approval under subsection (1) is a notifiable instrument.

340 Offence—asbestos warning signs

- (1) A person commits an offence if the person—
 - (a) is the owner of affected residential premises; and
 - (b) fails to ensure that an approved warning sign is displayed at the premises.

Maximum penalty: 30 penalty units.

- (2) A person commits an offence if—
 - (a) the person is the owner or occupier of affected residential premises; and
 - (b) a warning sign displayed at the premises is removed from the place where it is displayed; and

- (c) the person fails to ensure that the warning sign is replaced with an approved warning sign.

Maximum penalty: 30 penalty units.

341 Asbestos contamination report

- (1) An *asbestos contamination report*, for affected residential premises, is a report prepared by a licensed asbestos assessor that—
 - (a) identifies the location, type and condition of—
 - (i) asbestos contamination in the living area of the premises; and
 - (ii) any opening or crack through which asbestos contamination could enter the living area of the premises; and
 - (b) assesses the risk—
 - (i) resulting from the asbestos contamination in the living area of the premises; and
 - (ii) that asbestos contamination may enter the living area of the premises; and
 - (c) includes a plan that advises how the asbestos contamination should be managed (the *contamination management plan*).
- Note* If a form is approved under the [Act](#), s 222 for this provision, the form must be used.
- (2) The contamination management plan must identify—
 - (a) work required to seal, lock or clean the living areas of the premises; and
 - (b) any location at the premises where a warning sign must be displayed.

342 Asbestos contamination report—owner and occupier responsibilities

- (1) The owner of affected residential premises must—
- (a) have an asbestos contamination report for the premises that—
- (i) is less than 2 years old; and
- (ii) was prepared after any building work at, or structural damage to, the premises that may have disturbed asbestos contamination in the roof space, wall cavity or sub-floor area; and

Examples—structural damage

- fire damage
- dislodged fixture or fitting
- hole in ceiling, wall or floor

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (b) arrange for a licensed asbestos removalist to do the following within 6 months after the inspection date for the report:
- (i) any work required under the contamination management plan to seal, lock or clean the living areas of the premises;
- (ii) install any warning sign required under the contamination management plan; and
- (c) comply with any other requirement in the contamination management plan; and
- (d) if the owner or anyone else is to do building work or maintenance work at the premises that may disturb asbestos contamination in the roof space, wall cavity or sub-floor area—tell the regulator about the work at least 5 business days before the day the work begins; and

- (e) give a copy of the report to an occupier of the premises.
- (2) An occupier of affected residential premises—
 - (a) must—
 - (i) tell a person who enters the living areas of the premises about the asbestos contamination; and
 - (ii) make a copy of the asbestos contamination report for the premises available to the person; and
 - (b) must not tamper, or attempt to tamper, with—
 - (i) work undertaken to seal, lock or clean the living areas of the premises; or
 - (ii) a warning sign required under the contamination management plan for the premises.
- (3) This section does not apply to residential premises—
 - (a) owned by a person who has agreed, in writing, to surrender the crown lease for the premises before 1 July 2016; or
 - (b) acquired by the Territory under the buyback scheme.

- (4) In this section:

building work—see the *Building Act 2004*, section 6.

buyback scheme—see the *Dangerous Substances Act 2004*, section 47N (6).

inspection date, for an asbestos contamination report, means the date the premises were last inspected by the licensed asbestos assessor for the purposes of preparing the report.

maintenance work does not include minor or routine maintenance work.

343 Assessor must give copy of report to regulator and owner

A licensed asbestos assessor who prepares an asbestos contamination report for affected residential premises must give a copy of the report to—

- (a) the regulator; and
- (b) the owner of the premises.

344 Asbestos removalist must give copy of work report to regulator and owner

A licensed asbestos removalist who does work required under an asbestos contamination report for affected residential premises must—

- (a) certify whether the work has been completed in accordance with the contamination management plan; and
- (b) give the certification to—
 - (i) the regulator; and
 - (ii) the owner of the premises; and
 - (iii) the occupier of the premises.

Note If a form is approved under the [Act](#), s 222 for this provision, the form must be used.

Chapter 4 Security sensitive substances

Part 4.1 Important concepts

400 Security sensitive substance—Act, s 10A

A substance mentioned in schedule 4, table 4.1, is prescribed.

401 Security sensitive substance is controlled dangerous substance—Act, s 73

A security sensitive substance is a controlled dangerous substance for the Act.

402 Definitions—ch 4

In this chapter:

adverse security assessment—see the *Australian Security Intelligence Organisation Act 1979* (Cwlth), section 35.

close associate, of a person—see the *Act*, section 48.

qualified security assessment—see the *Australian Security Intelligence Organisation Act 1979* (Cwlth), section 35.

security cleared responsible person—a person is a *security cleared responsible person* in relation to a security sensitive substance if—

- (a) the person is a responsible person for the substance; and
- (b) the person is an adult; and
- (c) an adverse security assessment or qualified security assessment has not been given in relation to the person or a close associate of the person; and

- (d) the person has not been convicted or found guilty in the ACT or elsewhere within the previous 5 years of an offence involving—
- (i) a dangerous substance; or
 - (ii) a firearm; or
 - (iii) actual or threatened violence; or
 - (iv) fraud or dishonesty.

Note The [Act](#), s 18 defines a **responsible person** for a dangerous substance (including a security sensitive substance) as a person in control of the handling of the substance, premises where the substance is handled, or plant or a system for handling the substance.

security plan, for a licence, means a security plan for handling a security sensitive substance under the licence—

- (a) in the form required to be included in an application for the licence; and
- (b) as amended from time to time under this chapter.

security risk assessment, in relation to the handling of a security sensitive substance, means a written assessment that identifies and assesses the security risks (external and internal) associated with the handling of the substance.

security sensitive substance—see section 400.

unsupervised access—a person has **unsupervised access** to a security sensitive substance if the person has access to the substance when not under the supervision of a person who—

- (a) holds a licence for this chapter; or
- (b) is a security cleared responsible person.

Part 4.2 Security sensitive substances— general duties

403 Loss or theft of security sensitive substances—reporting

- (1) A responsible person for a security sensitive substance, on becoming aware of an incident of theft or loss at premises where the substance is stored, must—
 - (a) without delay, tell the director-general and a police officer about the incident; and
 - (b) as soon as practicable, give a written report to the director-general setting out the details of the incident and describing the kind and amount of any security sensitive substances lost or stolen.

Maximum penalty: 30 penalty units.

Note 1 **Premises** are defined in the [Act](#), dict, to include land, structures and vehicles.

Note 2 **Responsible person**, for a dangerous substance (including a security sensitive substance), is defined in the [Act](#), s 18.

- (2) An offence against this section is a strict liability offence.
- (3) In this section:

incident of theft or loss, at premises, means—

- (a) the theft or loss of a security sensitive substance from the premises; or
- (b) a break-in at the premises; or
- (c) an attempt to do something mentioned in paragraph (a) or (b).

Part 4.3 Security sensitive substances— general licence requirements

404 Suitable person to hold licence—Act, s 49 (1) (i)

For the [Act](#), the matters the director-general must have regard to in deciding whether a person is a suitable person to be issued with, or to continue to hold, a licence to handle a security sensitive substance include—

- (a) whether an adverse security assessment or a qualified security assessment has been given in relation to—
 - (i) the person or a close associate of the person; or
 - (ii) if the person is a corporation—an officer of the corporation or a close associate of an officer of the corporation; and
- (b) if the person is an individual—whether the person is an adult.

Note Additional criteria apply to the issue of licences (see [Act](#), pt 4.2).

405 Licence may only be issued for authorised purposes

The director-general may only issue a licence authorising the handling of a security sensitive substance for an authorised purpose mentioned in schedule 4, table 4.1, column 3 for the substance.

Part 4.4 Manufacturing security sensitive substances

406 Meaning of *manufacturing licence*—ch 4

In this chapter:

manufacturing licence means a licence issued for this part authorising the manufacture of a security sensitive substance.

Note 1 Licences are issued under the Act (see [Act](#), dict, def *licence*).

Note 2 *Manufacture* is defined in the [Act](#), dict.

407 Authority to manufacture security sensitive substances

A person is authorised to manufacture a security sensitive substance if the person—

- (a) holds a manufacturing licence authorising the manufacture of the substance; or
- (b) is an individual engaged (as an employee or contractor) to manufacture the substance under the supervision of a person who holds a manufacturing licence.

Note 1 Licences are issued under the [Act](#), ch 4 (Licences for dangerous substances). Security sensitive substances are dangerous substances.

Note 2 A person who manufactures a security sensitive substance without authorisation may commit an offence against the [Act](#), pt 5.1.

408 Person in control of manufacture—Act, s 17 (1) (e)

For the [Act](#), the holder of a manufacturing licence is a person in control of all of the following in relation to the manufacture of a security sensitive substance under the licence:

- (a) the handling of the substance;
- (b) the premises where the substance is manufactured;

- (c) any associated plant or system;
- (d) any associated activity.

Note The [Act](#), ch 3 (Safety duties for dangerous substances) imposes safety duties on a person in control of activities, plants, systems and premises relating to the handling of the dangerous substances.

409 Manufacturing licence applications—Act, s 50 (2)

An application for a manufacturing licence for a security sensitive substance must include the following:

- (a) the name and address of, and copies of identification papers for—
 - (i) the applicant; and
 - (ii) anyone who is to be a responsible person for the substance;
- (b) if the applicant is a corporation—the corporation’s ACN;
- (c) the purpose of the manufacture;
- (d) the address of the premises where the substance is to be manufactured;
- (e) a security plan prepared in accordance with section 410;
- (f) any information or documents required by a form for the application approved under the [Act](#), section 222.

410 Manufacturing licence applications—security plans

- (1) A security plan for the manufacture of a security sensitive substance must be based on a security risk assessment.
- (2) The security plan must include the following:
 - (a) details of the production process to be used;

- (b) details of the ingredients to be used and the source of any ingredient that is a dangerous substance;
- (c) recording and reconciliation protocols;
- (d) a system for recording—
 - (i) the name and licence details of a person who receives any of the security sensitive substance; and
 - (ii) the amount of the substance taken by the person;
- (e) procedures for reporting any loss, theft or attempted theft of the security sensitive substance;
- (f) any information or documents required by a form for the security plan approved under the [Act](#), section 222.

411 Manufacturing licence conditions—Act, s 53 (2) (b)

The following conditions apply to a manufacturing licence for a security sensitive substance:

- (a) the licensee must ensure that the substance is manufactured only for the purpose stated in the licence;
- (b) the licensee must ensure that—
 - (i) the security plan for the licence is implemented; and
 - (ii) a copy of the plan is available for inspection at each premises used for manufacturing the substance under the licence;
- (c) the licensee must ensure that no-one other than a security cleared responsible person named in the licence has unsupervised access to the substance;

- (d) the licensee must apply to the director-general to amend the licence if the licensee proposes to—
 - (i) add someone to, or remove someone from, the licence as a security cleared responsible person; or
 - (ii) change the name stated in the licence of a security cleared responsible person;

Note Licence amendments are made under the [Act](#), s 58.

- (e) the licensee must—
 - (i) comply with the obligations imposed on the licensee under this part; and
 - (ii) ensure that this part is complied with in relation to the manufacture of the substance under the licence.

Note 1 A licence is also subject to any conditions included in the licence by the director-general (see [Act](#), 53 (2) (a)).

Note 2 A licensee who fails to comply with a condition of the licence may commit an offence against the [Act](#), s 63 (Failure to comply with conditions of licence).

412 Manufacturing licences—review of security plans

The holder of a manufacturing licence for a security sensitive substance must—

- (a) amend the security plan whenever necessary to ensure that it is kept up to date; and
- (b) review the security plan (and make any necessary amendments) at least once every 5 years; and
- (c) state on the security plan—
 - (i) the date it was prepared; and
 - (ii) if it has been amended—the last date it was amended; and
 - (iii) if it has been reviewed—the last date it was reviewed.

413 Manufacture records

- (1) The holder of a manufacturing licence must, for each security sensitive substance manufactured under the licence, make a record of the manufacture that complies with subsection (2).
- (2) The record must include the following:
 - (a) the name and classification of the substance;
 - (b) the quantity of the substance manufactured;
 - (c) the date of manufacture;
 - (d) a certificate of analysis for each batch;
 - (e) whether the substance was manufactured for immediate use or supply;
 - (f) if the substance is stored, details of storage, including the name and licence details for a person responsible for its storage;
 - (g) any information or documents required by a form for the record approved under the [Act](#), section 222.

Note The licensee must make a record of the disposal under s 463.

- (3) The holder of a manufacturing licence must keep a record made under this section of the manufacture of a security sensitive substance for at least 3 years after the day of manufacture, whether or not the licence continues in force.

Maximum penalty: 20 penalty units.

- (4) An offence against this section is a strict liability offence.

Part 4.5 Importing security sensitive substances

414 **Meaning of *import licence*—ch 4**

In this chapter:

import licence means a licence issued for this part authorising the import of a security sensitive substance.

Note 1 Licences are issued under the Act (see [Act](#), dict, def *licence*).

Note 2 *Import* means import into the ACT (see [Act](#), dict).

415 **Authority to import security sensitive substances**

A person is authorised to import a security sensitive substance if the person holds an import licence for the import of the substance.

Note 1 Licences are issued under the [Act](#), ch 4 (Licences for dangerous substances). Security sensitive substances are dangerous substances.

Note 2 A person who imports a security sensitive substance without a licence may commit an offence against the [Act](#), pt 5.1.

416 **Person in control of import—Act, s 17 (1) (e)**

For the [Act](#), the holder of an import licence is a person in control of all of the following in relation to the import of a security sensitive substance under the licence:

- (a) the handling of the substance;
- (b) any premises where the substance is stored by the licensee after import;
- (c) any associated plant or system;
- (d) any associated activity.

Note The [Act](#), ch 3 (Safety duties for dangerous substances) imposes safety duties on a person in control of activities, plants, systems and premises relating to the handling of the dangerous substances.

417 Import licence applications—Act, s 50 (2)

An application for an import licence for a security sensitive substance must include the following:

- (a) the name and address of, and copies of identification papers for—
 - (i) the applicant; and
 - (ii) anyone who is to be a responsible person for the substance;
- (b) if the applicant is a corporation—the corporation’s ACN;
- (c) the purpose of the import;
- (d) the address of the premises where the substance is to be stored;
- (e) the name and classification of the substance;
- (f) any information or documents required by a form for the application approved under the [Act](#), section 222.

418 Import licence conditions—Act, s 53 (2) (b)

The following conditions apply to an import licence for a security sensitive substance:

- (a) the licensee must import the substance only for the purpose stated in the licence;
- (b) the licensee must ensure that no-one other than a security cleared responsible person named in the licence has unsupervised access to the substance;
- (c) the licensee must apply to the director-general to amend the licence if the licensee proposes to—
 - (i) add someone to, or remove someone from, the licence as a security cleared responsible person; or

- (ii) change the name stated in the licence of a security cleared responsible person;

Note Licence amendments are made under the [Act](#), s 58.

- (d) the licensee must—
 - (i) comply with the obligations imposed on the licensee under this part; and
 - (ii) ensure that this part is complied with in relation to the import of the substance under the licence.

Note 1 A licence is also subject to any conditions included in the licence by the director-general (see [Act](#), 53 (2) (a)).

Note 2 A licensee who fails to comply with a condition of the licence may commit an offence against the [Act](#), s 63 (Failure to comply with conditions of licence).

419 Notice of import

- (1) The holder of an import licence must give the director-general written notice of the licensee's intention to import a security sensitive substance.
- (2) The notice must be given no later than 2 business days before the day when the substance is to arrive in the ACT.
- (3) The notice must include the following:
 - (a) the licensee's licence details;
 - (b) the intended date of import of the substance;
 - (c) how the substance is to be carried into the ACT;
 - (d) the name, classification and quantity of the substance to be imported;
 - (e) contact and licence details for the person who is to receive the import;

- (f) the address of the place where the substance is to be stored in the ACT;
- (g) the name and licence details of the person who is to carry the substance into the ACT;
- (h) any information or documents required by a form for the notice approved under the [Act](#), section 222.

420 Import records

- (1) The holder of an import licence must make a record of all security sensitive substances imported into the ACT under the licence.
- (2) The holder of an import licence must keep a record made under this section of the import of a security sensitive substance for at least 3 years after the day of import, whether or not the licence continues in force.

Maximum penalty: 20 penalty units.

- (3) An offence against this section is a strict liability offence.

Part 4.6 Carrying security sensitive substances

Note If this part requires a security sensitive substance to be carried in a particular way, and a person carrying the security sensitive substance does not comply with the requirement, the person may commit an offence against the [Act](#), s 80 (Unauthorised carrying of certain dangerous substances).

421 Carrying definitions—ch 4

In this chapter:

carrying licence means a licence issued for this part authorising the carrying of a security sensitive substance by road or rail.

Note 1 Licences are issued under the [Act](#) (see [Act](#), dict, def *licence*).

Note 2 *Carry* (a dangerous substance) is defined in the [Act](#), dict to mean the moving of the substance by any means.

interstate security sensitive substances carrying authority, in relation to a security sensitive substance carried by road or rail, means a written authority (however called—for example, a licence or permit) issued under a corresponding law that authorises the authority-holder to carry the substance by road or rail.

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

422 Application of pt 4.6

- (1) This part applies to the carrying of security sensitive substances by road or rail.
- (2) However, this part does not apply to—
 - (a) the carrying of a quantity of a security sensitive substance that is less than the exempt quantity mentioned in schedule 4, table 4.1, column 4 for the substance; or

- (b) the carrying of a security sensitive substance by an inspector or police officer exercising a function under the Act.

423 Authority to carry security sensitive substances by road

- (1) A person must not carry a security sensitive substance by road (in the ACT) unless—
 - (a) the person is authorised to carry the substance by road (in the ACT) under a carrying licence; or
 - (b) the person holds an interstate security sensitive substances carrying authority that authorises the person to carry the substance by road (in the ACT).
- (2) A carrying licence that authorises the carrying of a security sensitive substance by road (in the ACT) authorises the carrying of the substance by—
 - (a) the licensee; or
 - (b) an individual engaged (as an employee or contractor) to carry the substance by road under the licensee's supervision.

Note 1 Carrying licences are issued under the [Act](#), ch 4 (Licences for dangerous substances). Security sensitive substances are dangerous substances.

Note 2 A person who carries a security sensitive substance without authorisation may commit an offence against the [Act](#), pt 5.1.

424 Authority to carry security sensitive substances by rail

- (1) A person must not carry a security sensitive substance by rail (in the ACT) unless—
 - (a) the person is authorised under a carrying licence to carry the security sensitive substance by rail (in the ACT); or
 - (b) the person is authorised under an interstate security sensitive substances carrying authority to carry the substance by rail (in the ACT or elsewhere).

- (2) A carrying licence that authorises the carrying of a security sensitive substance by rail (in the ACT) authorises the carrying of the substance by—
- (a) the licensee; or
 - (b) an individual engaged (as an employee or contractor) to carry the substance by rail under the licensee's supervision.

Note 1 Carrying licences are issued under the [Act](#), ch 4 (Licences for dangerous substances). Security sensitive substances are dangerous substances.

Note 2 A person who carries a security sensitive substance without authorisation may commit an offence against the [Act](#), pt 5.1.

425 Engaging someone else to carry security sensitive substances

- (1) A person must not engage someone else to carry a security sensitive substance by road or rail.

Maximum penalty: 30 penalty units.

- (2) Subsection (1) does not apply if the person whose services are engaged is authorised under section 423 or section 424 to carry the substance.
- (3) An offence against this section is a strict liability offence.

426 Person in control of carrying security sensitive substances—Act, s 17 (1) (e)

For the [Act](#), the holder of a carrying licence is a person in control of all of the following in relation to the carrying of a security sensitive substance under the licence:

- (a) the handling of the substance;
- (b) any premises where the substance is stored by the licensee for carrying;

- (c) any associated plant or system;
- (d) any associated activity.

Note The [Act](#), ch 3 (Safety duties for dangerous substances) imposes safety duties on a person in control of activities, plants, systems and premises relating to the handling of the dangerous substances.

427 Carrying licence applications—Act, s 50 (2)

An application for a carrying licence for a security sensitive substance must include the following:

- (a) the name and address of, and copies of identification papers for—
 - (i) the applicant; and
 - (ii) anyone who is to be a responsible person for the substance;
- (b) if the applicant is a corporation—the corporation’s ACN;
- (c) the purpose of the carrying;
- (d) details of each vehicle to be used for carrying the substance, including the following:
 - (i) make;
 - (ii) model;
 - (iii) year of manufacture;
 - (iv) registration number;
 - (v) engine number;
 - (vi) carrying capacity;
 - (vii) type of fuel;
- (e) a security plan prepared in accordance with section 428 (Carrying licence applications—security plans);

- (f) any information or documents required by a form for the application approved under the [Act](#), section 222.

428 Carrying licence applications—security plans

- (1) A security plan for carrying a security sensitive substance must be based on a security risk assessment.
- (2) The security plan must include the following:
 - (a) details of the precautions to be taken to ensure the security sensitive substance is secure for the duration of the entire journey;
 - (b) procedures for working out routes for the transport of the security sensitive substance;
 - (c) recording and reconciliation protocols;
 - (d) procedures for reporting any loss, theft or attempted theft of the security sensitive substance;
 - (e) any information or documents required by a form for the security plan approved under the [Act](#), section 222.

429 Carrying licence conditions—Act, s 53 (2) (b)

The following conditions apply to a carrying licence for a security sensitive substance:

- (a) the licensee must ensure that the substance is carried only for the purpose stated in the licence;
- (b) the licensee must ensure that—
 - (i) the security plan for the licence is implemented; and
 - (ii) a copy of the plan is available for inspection in each vehicle used for carrying the substance under the licence;

- (c) the licensee must ensure that no-one other than a security cleared responsible person named in the licence has unsupervised access to the substance;
- (d) the licensee must apply to the director-general to amend the licence if the licensee proposes to—
 - (i) add someone to, or remove someone from, the licence as a security cleared responsible person; or
 - (ii) change the name stated in the licence of a security cleared responsible person;

Note Licence amendments are made under the [Act](#), s 58.

- (e) the licensee must—
 - (i) comply with the obligations imposed on the licensee under this part; and
 - (ii) ensure that this part is complied with in relation to the carrying of the substance under the licence.

Note 1 A licence is also subject to any conditions included in the licence by the director-general (see [Act](#), 53 (2) (a)).

Note 2 A licensee who fails to comply with a condition of the licence may commit an offence against the [Act](#), s 63 (Failure to comply with conditions of licence).

430 Carrying licences—review of security plans

The holder of a carrying licence for a security sensitive substance must—

- (a) amend the security plan whenever necessary to ensure that it is kept up to date; and
- (b) review the security plan (and make any necessary amendments) at least once every 5 years; and

- (c) state on the security plan—
 - (i) the date it was prepared; and
 - (ii) if it has been amended—the last date it was amended; and
 - (iii) if it has been reviewed—the last date it was reviewed.

431 Route and time restrictions

- (1) The director-general may, in writing, determine—
 - (a) routes by which, and times when, particular quantities of a security sensitive substance may be carried by road in the ACT; or
 - (b) routes by which, and times when, particular quantities of a security sensitive substance must not be carried by road in the ACT.
- (2) A determination is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).
- (3) If the director-general makes a determination in relation to a security sensitive substance, the substance must not be carried by road except in accordance with the determination.

Part 4.7 Storing security sensitive substances

Note If this part requires a security sensitive substance to be stored in a particular way, and a person storing the substance does not comply with the requirement—

- the substance is not correctly stored for the [Act](#), s 14 (1) (a)
- if the person is in control of the manufacture, import or supply of the substance, the person may commit an offence against the [Act](#), pt 3.2 for contravention of s 26, s 27 or s 28
- in addition, the person may commit an offence against the [Act](#), pt 5.1.

432 Meaning of *storage licence*—ch 4

In this chapter:

storage licence means a licence issued for this part authorising the storage of a security sensitive substance.

Note Licences are issued under the [Act](#) (see [Act](#), dict, def *licence*).

433 Authority to store security sensitive substances

A person must not store a security sensitive substance unless the person is authorised under a storage licence to store the substance.

Note 1 Licences are issued under the [Act](#), ch 4 (Licences for dangerous substances). Security sensitive substances are dangerous substances.

Note 2 A person who stores a security sensitive substance without a licence may commit an offence against the [Act](#), pt 5.1.

434 Person in control of storing security sensitive substances—[Act](#), s 17 (1) (e)

For the [Act](#), the holder of a storage licence is a person in control of all of the following in relation to the storage of a security sensitive substance under the licence:

- (a) the handling of the substance;

- (b) the premises where the substance is stored;
- (c) any associated plant or system;
- (d) any associated activity.

Note The [Act](#), ch 3 (Safety duties for dangerous substances) imposes safety duties on a person in control of activities, plants, systems and premises relating to the handling of the dangerous substances. A security sensitive substance is a dangerous substance.

435 Storage licence applications—Act, s 50 (2)

An application for a storage licence for a security sensitive substance must include the following:

- (a) the name and address of, and copies of identification papers for—
 - (i) the applicant; and
 - (ii) anyone who is to be a responsible person for the substance;
- (b) if the applicant is a corporation—the corporation’s ACN;
- (c) the purpose of the storage;
- (d) the address of premises where the substance is to be stored;
- (e) a security plan prepared in accordance with section 436 (Storage licence applications—security plans);
- (f) any information or documents required by a form for the application approved under the [Act](#), section 222.

436 Storage licence applications—security plans

- (1) A security plan for storing a security sensitive substance must be based on a security risk assessment.
- (2) The security plan must include the following:
 - (a) details of the precautions to be taken to ensure the premises where the substance is stored are secure;
 - (b) procedures for controlling access to the premises and to the substance;
 - (c) recording and reconciliation protocols;
 - (d) procedures for reporting any loss, theft or attempted theft of the security sensitive substance;
 - (e) any information or documents required by a form for the security plan approved under the [Act](#), section 222.

437 Storage licence conditions—Act, s 53 (2) (b)

The following conditions apply to a storage licence for a security sensitive substance:

- (a) the licensee must store the substance only for the purpose stated in the licence;
- (b) the licensee must ensure that—
 - (i) the security plan for the licence is implemented; and
 - (ii) a copy of the plan is available for inspection at each premises used for storing the substance under the licence;
- (c) the licensee must ensure that no-one other than a security cleared responsible person named in the licence has unsupervised access to the substance;

- (d) the licensee must apply to the director-general to amend the licence if the licensee proposes to—
- (i) add someone to, or remove someone from, the licence as a security cleared responsible person; or
 - (ii) change the name stated in the licence of a security cleared responsible person;

Note Licence amendments are made under the [Act](#), s 58.

- (e) the licensee must—
- (i) comply with the obligations imposed on the licensee under this part; and
 - (ii) ensure that this part is complied with in relation to the storage of the substance under the licence.

Note 1 A licence is also subject to any conditions included in the licence by the director-general (see [Act](#), 53 (2) (a)).

Note 2 A licensee who fails to comply with a condition of the licence may commit an offence against the [Act](#), s 63 (Failure to comply with conditions of licence).

438 Storage licences—review of security plans

The holder of a storage licence for a security sensitive substance must—

- (a) amend the security plan whenever necessary to ensure that it is kept up to date; and
- (b) review the security plan (and make any necessary amendments) at least once every 5 years; and
- (c) state on the security plan—
 - (i) the date it was prepared; and
 - (ii) if it has been amended—the last date it was amended; and
 - (iii) if it has been reviewed—the last date it was reviewed.

439 Storage records

- (1) The holder of a storage licence must, for each premises used for the storage of security sensitive substances under the licence—
 - (a) make a record of the storage of each security sensitive substance at the premises that complies with subsection (2); and
 - (b) while a security sensitive substance is stored at the premises under the licence, maintain an accurate inventory of all security sensitive substances stored at the premises.
- (2) The record must include the following:
 - (a) the name and classification of the substance;
 - (b) the date of receipt;
 - (c) the name and licence details of the person (if any) from whom the substance was received;
 - (d) the date the security sensitive substance is removed from the premises;
 - (e) the reason for removal;

Examples of reasons

- 1 use
- 2 supply
- 3 disposal

- (f) any information or documents required by a form for the record approved under the [Act](#), section 222.

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) The holder of a storage licence must keep a record made under this section of the storage of a security sensitive substance from the day it is stored until at least 3 years after the day the substance is removed from storage, whether or not the licence continues in force.

Maximum penalty: 20 penalty units.

- (4) An offence against this section is a strict liability offence.

Part 4.8 Supplying security sensitive substances

Division 4.8.1 Supply licences

440 Meaning of *supply licence*—ch 4

In this chapter:

supply licence means a licence issued for this part authorising the supply of a security sensitive substance.

Note 1 Licences are issued under the Act (see [Act](#), dict, def *licence*).

Note 2 *Supply* is defined in the [Act](#), dict.

441 Authority to supply security sensitive substances

A person is authorised to supply a security sensitive substance if the person holds a supply licence for the substance.

Note 1 Licences are issued under the [Act](#), ch 4 (Licences for dangerous substances). Security sensitive substances are dangerous substances.

Note 2 A person who supplies a security sensitive substance without a licence may commit an offence against the [Act](#), pt 5.1.

442 Person in control of supply—Act, s 17 (1) (e)

For the [Act](#), the holder of a supply licence is a person in control of all of the following in relation to the supply of a security sensitive substance under the licence:

- (a) the handling of the substance;
- (b) the premises from which the substance is supplied;
- (c) any associated plant or system;

- (d) any associated activity.

Note The [Act](#), ch 3 (Safety duties for dangerous substances) imposes safety duties on a person in control of activities, plants, systems and premises relating to the handling of the dangerous substances. A security sensitive substance is a dangerous substance.

443 Supply licence applications—Act, s 50 (2)

An application for a supply licence for a security sensitive substance must include the following:

- (a) the name and address of, and copies of identification papers for—
 - (i) the applicant; and
 - (ii) anyone who is to be a responsible person for the substance;
- (b) if the applicant is a corporation—the corporation’s ACN;
- (c) the purpose of the supply;
- (d) details of any licence authorising the storage of the substance at the premises from which the substance is to be supplied;
- (e) procedures to ensure that the substance is only supplied to a person authorised to receive the substance;
- (f) any information or documents required by a form for the application approved under the [Act](#), section 222.

444 Supply licence conditions—Act, s 53 (2) (b)

The following conditions apply to a supply licence for a security sensitive substance:

- (a) the licensee must supply the substance only for the purpose stated in the licence;
- (b) the licensee must supply the substance only from premises where the substance is authorised to be stored under a licence;

- (c) the licensee must ensure that no-one other than a security cleared responsible person named in the licence has unsupervised access to the substance;
- (d) the licensee must apply to the director-general to amend the licence if the licensee proposes to—
 - (i) add someone to, or remove someone from, the licence as a security cleared responsible person; or
 - (ii) change the name stated in the licence of a security cleared responsible person;

Note Licence amendments are made under the [Act](#), s 58.

- (e) the licensee must—
 - (i) comply with the obligations imposed on the licensee under this part; and
 - (ii) ensure that this part is complied with in relation to the supply of the substance under the licence.

Note 1 A licence is also subject to any conditions included in the licence by the director-general (see [Act](#), 53 (2) (a)).

Note 2 A licensee who fails to comply with a condition of the licence may commit an offence against the [Act](#), s 63 (Failure to comply with conditions of licence).

445 Supply only to authorised people

A security sensitive substance must not be supplied to a person unless—

- (a) the person is authorised under a licence to receive the substance; and
- (b) the person shows the supplier—
 - (i) the licence or a certified copy of it; and

- (ii) identification papers for the person.

Note This requirement is a condition of a licence (see s 444 (e)). A licensee who fails to comply with a condition of the licence may commit an offence against the [Act](#), s 63 (Failure to comply with conditions of licence).

446 Supply records

- (1) The holder of a supply licence must, for each security sensitive substance supplied under the licence, make a record of the supply that complies with subsection (2).
- (2) The record must include the following:
 - (a) the name and classification of the substance;
 - (b) the quantity of the substance supplied and how it was packaged;

Examples

- 1 30 kg supplied in 3 bags of 10kg
- 2 30 kg supplied in 1 bag of 30kg
- 3 20L supplied in the customer's own container

- (c) the date of supply;
- (d) the name, address and telephone number of the person for whom the substance is supplied;
- (e) the licence details shown to the supplier for section 445;
- (f) the signature of the person taking delivery of the substance and, if that person is not the person for whom the substance is supplied, the name, address and telephone number of the person taking delivery;
- (g) the proposed use of the substance;

- (h) any information or documents required by a form for the record approved under the [Act](#), section 222.

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) The holder of a supply licence must keep a record made under this section of the supply of a security sensitive substance for at least 5 years after the day of supply, whether or not the licence continues in force.

Maximum penalty: 20 penalty units.

- (4) An offence against this section is a strict liability offence.

Division 4.8.2 Advertising supply of security sensitive substances

447 False or misleading statements about authority to supply security sensitive substances

- (1) A person commits an offence if—
- (a) the person makes a statement (whether orally, in a document or in any other way); and
 - (b) the statement is about—
 - (i) the supply or possible supply of a security sensitive substance; or
 - (ii) the promotion in any way of the supply or use of a security sensitive substance; and
 - (c) the statement is about the availability of the security sensitive substance to members of the public; and
 - (d) the statement is false or misleading; and

- (e) the person is reckless about whether the statement—
 - (i) is false or misleading; or
 - (ii) omits anything without which the statement is false or misleading; and
- (f) the statement is made in the course of trade or commerce.

Maximum penalty: 30 penalty units.

- (2) Absolute liability applies to subsection (1) (f).
- (3) Subsection (1) (d) and (e) (i) do not apply if the statement is not false or misleading in a material particular.
- (4) Subsection (1) (d) and (e) (ii) do not apply if the omission does not make the statement misleading in a material particular.

Part 4.9 Using security sensitive substances

448 Meaning of *user licence*—ch 4

In this chapter:

user licence means a licence issued for this part authorising the use of a security sensitive substance.

Note Licences are issued under the Act (see [Act](#), dict, def *licence*).

449 Application of pt 4.9

- (1) This part applies to the use of security sensitive substances.
- (2) However, this part does not apply to the use of a security sensitive substance by an inspector or police officer exercising a function under the [Act](#).

450 Authority to use security sensitive substances

A person is authorised to use a security sensitive substance if the person—

- (a) holds a user licence for the use of the substance; or
- (b) is an individual engaged (as an employee or contractor) to use the substance under the direct supervision of a person who holds a user licence.

Note 1 Licences are issued under the [Act](#), ch 4 (Licences for dangerous substances). Security sensitive substances are dangerous substances.

Note 2 A person who uses a security sensitive substance without a licence may commit an offence against the [Act](#), pt 5.1.

451 Person in control of use—Act, s 17 (1) (e)

For the [Act](#), the holder of a user licence is a person in control of all of the following in relation to the use of a security sensitive substance under the licence:

- (a) the handling of the substance;
- (b) the premises where the substance is used;
- (c) any associated plant or system;
- (d) any associated activity.

Note The [Act](#), ch 3 (Safety duties for dangerous substances) imposes safety duties on a person in control of activities, plants, systems and premises relating to the handling of the dangerous substances.

452 User licence applications—Act, s 50 (2)

An application for a user licence for a security sensitive substance must include the following:

- (a) the name and address of, and copies of identification papers for—
 - (i) the applicant; and
 - (ii) anyone who is to be a responsible person for the substance;
- (b) if the applicant is a corporation—the corporation's ACN;
- (c) the purpose of the use;
- (d) the address of the premises where the substance is to be stored;
- (e) any information or documents required by a form for the application approved under the [Act](#), section 222.

453 User licence conditions—Act, s 53 (2) (b)

The following conditions apply to a user licence for a security sensitive substance:

- (a) the licensee must ensure that the substance is used only for the purpose stated in the licence;
 - (b) the licensee must ensure that no-one other than a security cleared responsible person named in the licence has unsupervised access to the substance;
 - (c) the licensee must apply to the director-general to amend the licence if the licensee proposes to—
 - (i) add someone to, or remove someone from, the licence as a security cleared responsible person; or
 - (ii) change the name stated in the licence of a security cleared responsible person;
- Note* Licence amendments are made under the [Act](#), s 58.
- (d) the licensee must—
 - (i) comply with the obligations imposed on the licensee under this part; and
 - (ii) ensure that this part is complied with in relation to the use of the substance under the licence.

Note 1 A licence is also subject to any conditions included in the licence by the director-general (see [Act](#), 53 (2) (a)).

Note 2 A licensee who fails to comply with a condition of the licence may commit an offence against the [Act](#), s 63 (Failure to comply with conditions of licence).

454 Use of security sensitive substances—responsibilities of person in control

- (1) A person in control of premises must ensure that a security sensitive substance is used at the premises only by a person authorised to use the substance under this part.

Maximum penalty: 10 penalty units.

- (2) This section does not apply to the use of a security sensitive substance under the supervision of an inspector or police officer.
- (3) An offence against this section is a strict liability offence.

455 Use records

- (1) The holder of a user licence must, for each security sensitive substance used under the licence, make a record of the use that complies with subsection (2).
- (2) The record must include the following:
- (a) the name and classification of the substance;
 - (b) the quantity of the substance used;
 - (c) the purpose for which the substance was used;
 - (d) any information or documents required by a form for the record approved under the [Act](#), section 222.
- (3) The holder of a user licence must keep a record made under this section of the use of a security sensitive substance for at least 3 years after the day of use, whether or not the licence continues in force.

Maximum penalty: 20 penalty units.

- (4) An offence against this section is a strict liability offence.

Part 4.10 Disposal of security sensitive substances

Note If this part requires a security sensitive substance to be disposed of in a particular way, and a person disposing of the security sensitive substance does not comply with the requirement, the person may commit an offence under the [Act](#), s 81 (Unauthorised disposal of dangerous substances, plant and systems).

456 Meaning of *dispose*—pt 4.10

In this part:

dispose does not include supply.

Note *Dispose* and *supply* are defined in the [Act](#), dict. Those definitions apply to this regulation. However, the definition in this regulation qualifies the definition in the [Act](#).

457 Application of pt 4.10

- (1) This part applies to the disposal of security sensitive substances.
- (2) However, this part does not apply to the disposal of a security sensitive substance by an inspector or police officer exercising a function under the [Act](#).

458 Authority to dispose of security sensitive substances

- (1) A person must not dispose of a security sensitive substance unless the person is authorised under a licence to handle the security sensitive substance.
- (2) A licence that authorises the handling of a security sensitive substance authorises the disposal of the substance by—
 - (a) the licensee; or

- (b) any individual engaged (as an employee or contractor) to handle the substance under the licensee's supervision.

Note 1 Licences are issued under the [Act](#), ch 4 (Licences for dangerous substances). Security sensitive substances are dangerous substances.

Note 2 A person who disposes of a security sensitive substance without authorisation may commit an offence against the [Act](#), pt 5.1.

459 Conditions for disposal of security sensitive substances—Act, s 53 (2) (b)

It is a condition of a licence that authorises the handling of a security sensitive substance that the licensee must—

- (a) comply with the obligations imposed on the licensee under this part; and
- (b) ensure that this part is complied with in relation to the disposal of the substance under the licence.

Note A licensee who fails to comply with a condition of the licence may commit an offence against the [Act](#), s 63 (Failure to comply with conditions of licence).

460 Discarding security sensitive substances

- (1) A person must not discard a security sensitive substance.

Maximum penalty: 30 penalty units.

Examples of discarding

- 1 throwing away the substance
- 2 dumping the substance in a waterway

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) An offence against this section is a strict liability offence.

**461 Secure disposal of security sensitive substances—
general rules**

A person disposing of a security sensitive substance must ensure—

- (a) that the method of disposal used provides the greatest degree of security possible; and
- (b) that the method of disposal is appropriate to the kind of security sensitive substance and the condition of the security sensitive substance.

**462 Secure disposal of security sensitive substances—
inspector's instructions**

Despite section 460 and section 461, if an inspector tells a person (orally or in writing) who is authorised to handle a security sensitive substance under a licence to dispose of the substance in a particular way, the person must ensure that the direction is complied with.

463 Disposal records

- (1) The holder of a licence under which a security sensitive substance is disposed of must make a record of the disposal that complies with subsection (2).
- (2) The record must include the following:
 - (a) the name and licence details of the owner of the substance;
 - (b) the name and classification of the substance;
 - (c) the quantity of the substance disposed of;
 - (d) the date of disposal;
 - (e) the method of disposal;
 - (f) the reason for disposal;
 - (g) any information or documents required by a form for the record approved under the [Act](#), section 222.

- (3) The holder of a licence must keep a record made under this section of the disposal of a security sensitive substance for at least 3 years after the day of disposal, whether or not the licence continues in force.

Maximum penalty: 20 penalty units.

- (4) An offence against this section is a strict liability offence.

Chapter 5 Notification and review of decisions

500 Internally reviewable decisions—Act, s 186, def *internally reviewable decision*

A decision mentioned in schedule 5, part 5.2, column 3 under a provision mentioned in column 2 in relation to the decision is prescribed.

501 Reviewable decisions—Act, s 186, def *reviewable decision*

A decision mentioned in schedule 5, part 5.1 or part 5.3, column 3 under a provision mentioned in column 2 in relation to the decision is prescribed.

502 Internally reviewable decisions—right of review and notice—Act, s 186A and s 187 (1) (a)

A person mentioned in schedule 5, part 5.2, column 4 is prescribed.

503 Reviewable decisions—right of review and notice—Act, s 190 and s 191 (1) (a)

A person mentioned in schedule 5, part 5.1 or part 5.3, column 4 is prescribed.

Schedule 4 Security sensitive substances

(see s 400, s 421)

Table 4.1

column 1 item	column 2	column 3 authorised purposes	column 4 exempt quantity for carrying
1	security sensitive ammonium nitrate	1.1 mining 1.2 quarrying 1.3 manufacture of explosives and fertilisers 1.4 genuine scientific research in relation to explosives or fertilisers 1.5 sampling the substance for identifying the kind or quantities of ingredients in the substance 1.6 carrying out demonstrations, education or practical training in relation to explosives or fertilisers 1.7 commercial agricultural use by primary producers or distribution service agencies 1.8 services for carrying the substance	20kg

**4.1 Meaning of *security sensitive ammonium nitrate*—
table 4.1**

- (1) In table 4.1, *security sensitive ammonium nitrate* means—
- (a) a substance that has a UN number mentioned in subsection (3);
or
 - (b) either of the following substances, if they do not have a UN number mentioned in subsection (3):
 - (i) an ammonium nitrate emulsion containing greater than 45% ammonium nitrate;
 - (ii) an ammonium nitrate mixture containing greater than 45% ammonium nitrate; or
 - (c) a substance with UN number 3139 (oxidising liquid, other than oxidising liquids with different UN numbers), if the substance is a form of ammonium nitrate.
- (2) However, in table 4.1, *security sensitive ammonium nitrate* does not include—
- (a) an ammonium nitrate solution; or
 - (b) any form of ammonium nitrate that is an explosive.

Note For the meaning of *explosive*, see the [Act](#), s 73 and the [Dangerous Substances \(Explosives\) Regulation 2004](#), s 7.

- (3) For subsection (1), UN numbers for security sensitive ammonium nitrate are as follows:
- 1942
 - 2067
 - 2068
 - 2069
 - 2070

- 2071
- 2072
- 3375.

(4) In this section:

UN number, for a dangerous substance of a particular kind, means the identification serial number listed in the ADG Code for dangerous goods of the same kind.

Note See the ADG Code, s 1.1.3 (def ***UN number***), appendix 1 and appendix 2.

Schedule 5 **Reviewable decisions**

(see ch 5)

Part 5.1 **Director-general—reviewable decisions under Act**

column 1 item	column 2 provision	column 3 decision	column 4 person
1	52 (3)	refuse to issue licence	applicant
2	53 (1)	issue licence subject to condition included by director-general	applicant
3	54 (1)	issue licence for less than maximum period allowed	applicant
4	58 (3)	refuse to amend licence	licensee
5	59	impose condition on licence amend or revoke condition included in licence by director-general	licensee
6	68 (3)	reprimand licensee require licensee to undertake training amend/suspend/cancel licence period of / event for ending suspension disqualify licensee period of / event for ending disqualification	licensee

column 1 item	column 2 provision	column 3 decision	column 4 person
7	68 (4)	reprimand former licensee disqualify former licensee period of/complete training/event for ending disqualification	former licensee
8	69 (2)	immediate suspension of licence	licensee
9	124 (1)	refuse to accept safety undertaking	the person who proposed to give the safety undertaking
10	125 (1)	refuse to agree to amendment of enforceable undertaking refuse to agree to withdrawal from enforceable undertaking	relevant person
11	126 (2)	refuse to end enforceable undertaking on application	relevant person

Part 5.2 Inspectors—internally reviewable decisions under Act

column 1 item	column 2 provision	column 3 decision	column 4 person
1	95 (3)	refuse to revoke compliance agreement	each responsible person
2	100	give improvement notice	each responsible person
3	102 (2)	extend compliance period for improvement notice extend compliance period for improvement notice for less than period asked for refuse to extend compliance period for improvement notice if asked	each responsible person
4	106	revoke improvement notice refuse to revoke improvement notice	each responsible person
5	109	give prohibition notice	each responsible person
6	111 (2)	extend relevant period for prohibition notice extend relevant period for prohibition notice for less than period asked for refuse to extend relevant period for prohibition notice if asked	each responsible person

column 1 item	column 2 provision	column 3 decision	column 4 person
7	116 (3)	refuse to agree to inspect vehicle or equipment at place other than where it was originally inspected	the relevant responsible person for the vehicle or equipment
8	117	revoke prohibition notice refuse to revoke prohibition notice	each responsible person

Part 5.3 Director-general—reviewable decisions under this regulation

column 1 item	column 2 provision	column 3 decision	column 4 person
1	312 (2) or (4)	refuse to give exemption	applicant
2	313 (1)	give exemption subject to condition included by director-general	applicant
3	318 (3)	refuse to amend exemption	exemption-holder
4	319	cancel exemption	exemption-holder
5	319	impose condition on exemption amend or revoke condition included in exemption by director-general	exemption-holder

Dictionary

(see s 3)

Note 1 The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

Note 2 For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- ACAT
- adult
- director-general (see s 163)
- doctor
- fail
- fire and rescue service
- home address
- Minister (see s 162)
- penalty unit (see s 133)
- reviewable decision notice
- rural fire service
- under.

Note 3 Terms used in this regulation have the same meaning that they have in the [Dangerous Substances Act 2004](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Dangerous Substances Act 2004](#), dict:

- ADG Code
- asbestos
- carry
- compliance agreement (see s 94 (2))
- dangerous substance (see s 10)
- dispose
- enforceable undertaking (see s 122)
- handle (see s 11)
- import
- improvement notice (see s 100)
- internally reviewable decision (see s 186)
- licence

- loose-fill asbestos insulation (see s 47M)
- manufacture
- non-commercial (see s 12)
- person in control (see s 17)
- plant
- premises (and *at* premises)
- prohibition notice (see s 109)
- reasonable steps (see s 16)
- relevant responsible person
- responsible person (see s 18)
- reviewable decision (see s 186)
- risk (see s 15)
- safety undertaking (see s 123 (2))
- supply
- vehicle.

ACM—see *asbestos containing material*.

adverse security assessment, for chapter 4 (Security sensitive substances)—see the [Australian Security Intelligence Organisation Act 1979](#) (Cwlth), section 35.

affected residential premises, for part 3.5 (Asbestos management—residential premises)—see section 337.

approved warning sign, for part 3.5 (Asbestos management—residential premises)—see section 338.

asbestos containing material (ACM), for chapter 3 (Asbestos and asbestos containing material)—see the [Work Health and Safety Regulation 2011](#), dictionary.

asbestos contamination, for part 3.5 (Asbestos management—residential premises)—see section 338.

asbestos contamination report, for affected residential premises, for part 3.5 (Asbestos management—residential premises)—see section 341 (1).

asbestos-related work—see the [Work Health and Safety Regulation 2011](#), dictionary.

carrying licence, for chapter 4 (Security sensitive substances)—see section 421.

certified copy, of a licence or authority, means a copy of the licence or authority certified by the holder of the licence or authority to be a true copy.

close associate, of a person, for chapter 4 (Security sensitive substances)—see the [Act](#), section 48.

contamination management plan, for part 3.5 (Asbestos management—residential premises)—see section 341 (1) (c).

dispose, of a security sensitive substance, for chapter 4 (Security sensitive substances)—see section 456.

ensure—see section 6.

identification papers, for a person, means a document, or a number of documents taken together, that—

- (a) show the person's age; and
- (b) show a home address for the person; and
- (c) contain a photograph that could reasonably be taken to be of the person.

Example of identification papers

a proof of identity card issued under the [Liquor Act 2010](#), s 210, together with a bank statement showing the cardholder's residential address

Note An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

import licence, for chapter 4 (Security sensitive substances)—see section 414.

interstate security sensitive substances carrying authority, for chapter 4 (Security sensitive substances)—see section 421.

licence details, of a person who handles or is to handle a dangerous substance, means details of a licence authorising the person to handle the substance.

licensed asbestos assessor, for part 3.5 (Asbestos management—residential premises)—see the [Work Health and Safety Regulation 2011](#), dictionary.

licensed asbestos removalist, for part 3.5 (Asbestos management—residential premises)—see the [Work Health and Safety Regulation 2011](#), dictionary.

living areas, of premises, for part 3.5 (Asbestos management—residential premises)—see section 338.

manufacturing licence, for chapter 4 (Security sensitive substances)—see section 406.

qualified security assessment, for chapter 4 (Security sensitive substances)—see the [Australian Security Intelligence Organisation Act 1979](#) (Cwlth), section 35.

regulator, for part 3.5 (Asbestos management—residential premises)—see the [Work Health and Safety Act 2011](#), dictionary.

residential premises, for part 3.5 (Asbestos management—residential premises)—see the [Act](#), section 47N (6).

security cleared responsible person, for chapter 4 (Security sensitive substances)—see section 402.

security plan, for chapter 4 (Security sensitive substances)—see section 402.

security risk assessment, in relation to the handling of a security sensitive substance, for chapter 4 (Security sensitive substances)—see section 402.

security sensitive substance, for chapter 4 (Security sensitive substances)—see section 400.

storage licence, for chapter 4 (Security sensitive substances)—see section 432.

supply licence, for chapter 4 (Security sensitive substances)—see section 440.

unsupervised access, to a security sensitive substance, for chapter 4 (Security sensitive substances)—see section 402.

user licence, for chapter 4 (Security sensitive substances)—see section 448.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

3 Legislation history

Dangerous Substances (General) Regulation 2004 SL2004-56

notified LR 14 December 2004

s 1, s 2 commenced 14 December 2004 (LA s 75 (1))

pt 6.1, pt 6.3, s 607, s 679, s 682 commenced 15 December 2004 (s 2 (1))

ch 4, s 613, s 618, s 620, s 621, s 625, s 633, s 638, s 639,

ss 643-646, s 652, ss 663-665, s 667, s 677, s 678, s 681, sch 4 commenced 30 June 2005 (s 2 (3))

remainder commenced 31 March 2005 (s 2 (2))

as amended by

[Dangerous Substances \(General\) Amendment Regulation 2007 \(No 1\) SL2007-23](#)

notified LR 6 September 2007

s 1, s 2 commenced 6 September 2007 (LA s 75 (1))

remainder commenced 7 September 2007 (s 2)

[Dangerous Substances \(General\) Amendment Regulation 2007 \(No 2\) SL2007-38](#)

notified LR 17 December 2007

s 1, s 2 commenced 17 December 2007 (LA s 75 (1))

remainder commenced 18 December 2007 (s 2)

[ACT Civil and Administrative Tribunal Legislation Amendment Act 2008 \(No 2\) A2008-37 sch 1 pt 1.29](#)

notified LR 4 September 2008

s 1, s 2 commenced 4 September 2008 (LA s 75 (1))

sch 1 pt 1.29 commenced 2 February 2009 (s 2 (1) and see [ACT Civil and Administrative Tribunal Act 2008](#) A2008-35, s 2 (1) and [CN2009-2](#))

[Work Safety Legislation Amendment Act 2009 A2009-28 sch 2 pt 2.7](#)

notified LR 9 September 2009

s 1, s 2 commenced 9 September 2009 (LA s 75 (1))

sch 2 pt 2.7 commenced 1 October 2009 (s 2 and see [Work Safety Act 2008](#) A2008-51 s 2 (1) (b) and [CN2009-11](#))

Endnotes

3 Legislation history

Dangerous Goods (Road Transport) Act 2009 A2009-34 sch 1 pt 1.2

notified LR 28 September 2009

s 1, s 2 commenced 28 September 2009 (LA s 75 (1))

sch 1 pt 1.2 commenced 2 April 2010 (s 2, [CN2010-5](#) and LA s 77 (3))

Statute Law Amendment Act 2009 (No 2) A2009-49 sch 3 pt 3.19

notified LR 26 November 2009

s 1, s 2 commenced 26 November 2009 (LA s 75 (1))

sch 3 pt 3.19 commenced 17 December 2009 (s 2)

Liquor (Consequential Amendments) Act 2010 A2010-43 sch 1 pt 1.7

notified LR 8 November 2010

s 1, s 2 commenced 8 November 2010 (LA s 75 (1))

sch 1 pt 1.7 commenced 1 December 2010 (s 2 (4) and see [Liquor Act 2010 A2010-35](#), s 2 (3) (as am by [A2010-43](#) amdt 1.19) and [CN2010-14](#))

Dangerous Substances Amendment Act 2011 A2011-10 pt 3

notified LR 16 March 2011

s 1, s 2 commenced 16 March 2011 (LA s 75 (1))

pt 3 commenced 17 March 2011 (s 2)

Administrative (One ACT Public Service Miscellaneous Amendments) Act 2011 A2011-22 sch 1 pt 1.52

notified LR 30 June 2011

s 1, s 2 commenced 30 June 2011 (LA s 75 (1))

sch 1 pt 1.52 commenced 1 July 2011 (s 2 (1))

Work Health and Safety (Consequential Amendments) Act 2011 A2011 55 sch 1 pt 1.8

notified LR 14 December 2011

s 1, s 2 commenced 14 December 2011 (LA s 75 (1))

sch 1 pt 1.8 commenced 1 January 2012 (s 2 and see [Work Health and Safety Act 2011 A2011-35](#), s 2 and [CN2011-12](#))

Dangerous Substances (General) Amendment Regulation 2014 (No 1) SL2014-19

notified LR 18 August 2014

s 1, s 2 commenced 18 August 2014 (LA s 75 (1))

s 5 commenced 1 January 2015 (s 2 (2))

remainder commenced 1 September 2014 (s 2 (1))

Dangerous Substances (Asbestos Safety Reform) Legislation Amendment Act 2014 A2014-53 pt 7

notified LR 3 December 2014
s 1, s 2 commenced 3 December 2014 (LA s 75 (1))
pt 7 commenced 1 January 2015 (s 2)

Work Health and Safety (Asbestos) Amendment Regulation 2014 (No 1) SL2014-32 s 17

notified LR 4 December 2014
s 1, s 2 commenced 4 December 2014 (LA s 75 (1))
s 17 commenced 1 January 2015 (s 2 (3))

Dangerous Substances (Loose-fill Asbestos Eradication) Legislation Amendment Act 2015 A2015-6 sch 1 pt 1.3

notified LR 31 March 2015
s 1, s 2 commenced 31 March 2015 (LA s 75 (1))
sch 1 pt 1.3 commenced 29 June 2015 (s 2 and [CN2015-6](#))

Dangerous Substances (General) Amendment Regulation 2015 (No 1) SL2015-10

notified LR 9 April 2015
s 1, s 2 commenced 9 April 2015 (LA s 75 (1))
remainder commenced 15 May 2015 (s 2)

Dangerous Substances (General) Amendment Regulation 2015 (No 2) SL2015-13

notified LR 30 April 2015
s 1, s 2 commenced 30 April 2015 (LA s 75 (1))
remainder commenced 1 February 2016 (s 2)

Building (Loose-fill Asbestos Eradication) Legislation Amendment Act 2015 A2015-42 pt 6

notified LR 5 November 2015
s 1, s 2 commenced 5 November 2015 (LA s 75 (1))
pt 6 commenced 1 February 2016 (s 2 (1), [CN2015-21](#) and see [Dangerous Substances \(General\) Amendment Regulation 2015 \(No 2\) SL2015-13 s 2](#))

Statute Law Amendment Act 2015 (No 2) A2015-50 sch 3 pt 3.15

notified LR 25 November 2015
s 1, s 2 commenced 25 November 2015 (LA s 75 (1))
sch 3 pt 3.15 commenced 9 December 2015 (s 2)

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3 Legislation history

Justice Legislation Amendment Act 2016 A2016-7 sch 1 pt 1.4

notified LR 29 February 2016

s 1, s 2 commenced 29 February 2016 (LA s 75 (1))

sch 1 pt 1.4 commenced 29 August 2016 (s 2 and LA s 79)

Emergencies Amendment Act 2016 A2016-33 sch 1 pt 1.6

notified LR 20 June 2016

s 1, s 2 commenced 20 June 2016 (LA s 75 (1))

sch 1 pt 1.6 commenced 21 June 2016 (s 2)

**Work Health and Safety Legislation Amendment Act 2018 A2018-8
sch 1 pt 1.3**

notified LR 5 March 2018

s 1, s 2 commenced 5 March 2018 (LA s 75 (1))

sch 1 pt 1.3 commenced 29 March 2018 (s 2)

4 Amendment history

Commencement

s 2 om LA s 89 (4)

Dictionary

s 3 am [A2011-10](#) s 6; [A2014-53](#) s 45; [A2018-8](#) amdt 1.11

Incorporated documents

s 5 om [A2018-8](#) amdt 1.12

Certain dangerous substances

ch 2 hdg om [A2018-8](#) amdt 1.13

Important concepts

pt 2.1 hdg om [A2018-8](#) amdt 1.13

Application of ch 2

div 2.1.1 hdg om [A2018-8](#) amdt 1.13

Application—ch 2

s 200 om [A2018-8](#) amdt 1.13

Non-application of ch 2—non-commercial handling

s 201 om [A2018-8](#) amdt 1.13

Non-application of ch 2—air and marine transport

s 202 am [A2009-34](#) amdt 1.4
om [A2018-8](#) amdt 1.13

Definitions for ch 2

div 2.1.2 hdg om [A2018-8](#) amdt 1.13

Definitions—ch 2

s 203 om [A2018-8](#) amdt 1.13
def **C1 combustible liquid** om [A2018-8](#) amdt 1.13
def **C2 combustible liquid** om [A2018-8](#) amdt 1.13
def **capacity** om [A2018-8](#) amdt 1.13
def **class** om [A2018-8](#) amdt 1.13
def **class label** om [A2018-8](#) amdt 1.13
def **combustible liquid** om [A2018-8](#) amdt 1.13
def **compatible** om [A2018-8](#) amdt 1.13
def **container** om [A2018-8](#) amdt 1.13
def **dangerous substance** om [A2018-8](#) amdt 1.13
def **emergency plan** om [A2018-8](#) amdt 1.13
def **emergency service** om [A2018-8](#) amdt 1.13
def **fire risk dangerous substance** om [A2018-8](#) amdt 1.13
def **flashpoint** om [A2018-8](#) amdt 1.13
def **health and safety representative** om [A2009-28](#)
amdt 2.14
ins [A2011-55](#) amdt 1.11
om [A2018-8](#) amdt 1.13

Endnotes

4 Amendment history

def *importer* om [A2018-8](#) amdt 1.13
def *in transit* om [A2018-8](#) amdt 1.13
def *manifest quantity* om [A2018-8](#) amdt 1.13
def *manifest quantity registrable premises* om [A2018-8](#)
amdt 1.13
def *manufacturer* om [A2018-8](#) amdt 1.13
def *non-registrable premises* om [A2018-8](#) amdt 1.13
def *package* om [A2018-8](#) amdt 1.13
def *packaged* om [A2018-8](#) amdt 1.13
def *packaging* om [A2018-8](#) amdt 1.13
def *packing group* om [A2018-8](#) amdt 1.13
def *pipework* om [A2018-8](#) amdt 1.13
def *placard quantity* om [A2018-8](#) amdt 1.13
def *placard quantity notice* om [A2018-8](#) amdt 1.13
def *placard quantity register* om [A2018-8](#) amdt 1.13
def *proper shipping name* om [A2018-8](#) amdt 1.13
def *registrable premises* om [A2018-8](#) amdt 1.13
def *retailer* om [A2018-8](#) amdt 1.13
def *risk assessment* om [A2018-8](#) amdt 1.13
def *safety data sheet* (or *SDS*) om [A2018-8](#) amdt 1.13
def *SDS* om [A2018-8](#) amdt 1.13
def *subsidiary risk* om [A2018-8](#) amdt 1.13
def *subsidiary risk label* om [A2018-8](#) amdt 1.13
def *supplier* om [A2018-8](#) amdt 1.13
def *tank* om [A2018-8](#) amdt 1.13
def *transfer* om [A2018-8](#) amdt 1.13
def *work safety representative* ins [A2009-28](#) amdt 2.15
om [A2011-55](#) amdt 1.12

Quantities of dangerous substances

div 2.1.3 hdg om [A2018-8](#) amdt 1.13

Meaning of *placard quantity*—ch 2

s 204 om [A2018-8](#) amdt 1.13

Meaning of *manifest quantity*—ch 2

s 205 om [A2018-8](#) amdt 1.13

Meaning of *total quantity*—ch 2

s 206 om [A2018-8](#) amdt 1.13

Working out quantities—ch 2

s 207 om [A2018-8](#) amdt 1.13

Premises

div 2.1.4 hdg om [A2018-8](#) amdt 1.13

Meaning of *registrable premises*—ch 2

s 208 om [A2018-8](#) amdt 1.13

Meaning of *manifest quantity registrable premises*—ch 2s 209 om [A2018-8](#) amdt 1.13**Meaning of *non-registrable premises*—ch 2**s 210 om [A2018-8](#) amdt 1.13**Manufacturers, importers and suppliers**pt 2.2 hdg om [A2018-8](#) amdt 1.13**Packing, marking and supply**div 2.2.1 hdg om [A2018-8](#) amdt 1.13**Correct classification—Act, s 13**s 211 om [A2018-8](#) amdt 1.13**Correct packing—Act, s 14**s 212 om [A2018-8](#) amdt 1.13**Correct labelling—Act, s 14**s 213 om [A2018-8](#) amdt 1.13**Supply by retailer in consumer's container—Act, s 14**s 214 om [A2018-8](#) amdt 1.13**Safety data sheets**div 2.2.2 hdg om [A2018-8](#) amdt 1.13**SDS preparation and review—Act, s 26 (1) (e) and s 27 (1) (e)**s 215 om [A2018-8](#) amdt 1.13**SDS prepared under corresponding law**s 216 om [A2018-8](#) amdt 1.13**Provision of SDS by manufacturer, importer or supplier—Act, s 26 (1) (e), s 27 (1) (e) and s 28 (1) (e)**s 217 am [A2011-22](#) amdt 1.163
om [A2018-8](#) amdt 1.13**Additional information for doctors—Act, s 26 (1) (e) and s 27 (1) (e)**s 218 om [A2018-8](#) amdt 1.13**Additional information for people responsible for health and safety—Act, s 26 (1) (e) and s 27 (1) (e)**s 219 am [A2009-28](#) amdt 2.18; [A2011-22](#) amdt 1.163; [A2011-55](#)
amdt 1.13
om [A2018-8](#) amdt 1.13**Registrable premises—safety management systems**pt 2.3 hdg om [A2018-8](#) amdt 1.13**Safety management systems—Act, s 19 (1) (e)**s 220 om [A2018-8](#) amdt 1.13

Endnotes

4 Amendment history

Hazard identification—Act, s 19 (2) (c)

s 221 om [A2018-8](#) amdt 1.13

Risk assessment—making

s 222 om [A2018-8](#) amdt 1.13

Risk assessment—availability

s 223 om [A2018-8](#) amdt 1.13

Risk assessment—regular review

s 224 om [A2018-8](#) amdt 1.13

Risk assessment—5-year review

s 225 om [A2018-8](#) amdt 1.13

Consultation with employees

s 226 am [A2009-28](#) amdt 2.18; [A2011-55](#) amdt 1.14
om [A2018-8](#) amdt 1.13

Substitution and reduction

s 227 om [A2018-8](#) amdt 1.13

Registrable premises—risk control

pt 2.4 hdg om [A2018-8](#) amdt 1.13

Registrable premises— isolation, stability and interaction

div 2.4.1 hdg om [A2018-8](#) amdt 1.13

Isolation

s 228 om [A2018-8](#) amdt 1.13

Stability

s 229 om [A2018-8](#) amdt 1.13

Preventing interaction with other substances

s 230 om [A2018-8](#) amdt 1.13

Preventing contamination of food or personal products

s 231 om [A2018-8](#) amdt 1.13

Registrable premises—plant and structures

div 2.4.2 hdg om [A2018-8](#) amdt 1.13

Tanks for bulk dangerous substances

s 232 om [A2018-8](#) amdt 1.13

Decommissioning

s 233 om [A2018-8](#) amdt 1.13

Protection from impact

s 234 om [A2018-8](#) amdt 1.13

Personal protective or safety equipment

s 235 om [A2018-8](#) amdt 1.13

Registrable premises—lighting, access and securitydiv 2.4.3 hdg om [A2018-8](#) amdt 1.13**Lighting**s 236 om [A2018-8](#) amdt 1.13**Access**s 237 om [A2018-8](#) amdt 1.13**Security**s 238 om [A2018-8](#) amdt 1.13**Registrable premises—spills**div 2.4.4 hdg om [A2018-8](#) amdt 1.13**Spill containment**s 239 om [A2018-8](#) amdt 1.13**Transfer of dangerous substances**s 240 om [A2018-8](#) amdt 1.13**Equipment for clean-ups**s 241 om [A2018-8](#) amdt 1.13**Registrable premises—atmospheric risks**div 2.4.5 hdg om [A2018-8](#) amdt 1.13**Ignition sources**s 242 om [A2018-8](#) amdt 1.13**Ventilation and atmospheric emissions**s 243 om [A2018-8](#) amdt 1.13**Risk control—fire protection**div 2.4.6 hdg om [A2018-8](#) amdt 1.13**Fire protection**s 244 am [A2015-50](#) amdt 3.95; [A2016-33](#) amdt 1.15
om [A2018-8](#) amdt 1.13**Registrable premises—information**pt 2.5 hdg om [A2018-8](#) amdt 1.13**Registrable premises—communication**div 2.5.1 hdg om [A2018-8](#) amdt 1.13**Information for substance handlers**s 245 am [A2009-28](#) amdt 2.19; [A2011-55](#) amdt 1.15
om [A2018-8](#) amdt 1.13**Information for plant users**s 246 om [A2018-8](#) amdt 1.13**Information for visitors**s 247 om [A2018-8](#) amdt 1.13

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Registrable premises—keeping accurate information

div 2.5.2 hdg om [A2018-8](#) amdt 1.13

Keeping safety data sheets

s 248 om [A2018-8](#) amdt 1.13

Register of dangerous substances

s 249 om [A2018-8](#) amdt 1.13

Records—change of person in control

s 250 om [A2018-8](#) amdt 1.13

Registrable premises—keeping accurate information

div 2.5.3 hdg om [A2018-8](#) amdt 1.13

Incorrectly labelled packages

s 251 om [A2018-8](#) amdt 1.13

Labelling and removing labelling from packages

s 252 om [A2018-8](#) amdt 1.13

Labelling portable containers

s 253 om [A2018-8](#) amdt 1.13

Registrable premises—placards

div 2.5.4 hdg om [A2018-8](#) amdt 1.13

Placards—requirement to display

s 254 om [A2018-8](#) amdt 1.13

Placards—location of HAZCHEM outer warnings

s 255 om [A2018-8](#) amdt 1.13

Placards—location of information placards

s 256 om [A2018-8](#) amdt 1.13

Placards—form of HAZCHEM outer warning placard

s 257 om [A2018-8](#) amdt 1.13

Placards—form of information placards for tanks

s 258 om [A2018-8](#) amdt 1.13

Placards—form of information placards for packages

s 259 om [A2018-8](#) amdt 1.13

Registrable premises—registration

pt 2.6 hdg om [A2018-8](#) amdt 1.13

Placard quantity register

s 260 am [A2011-22](#) amdt 1.163

om [A2018-8](#) amdt 1.13

Registration—placard quantity notice

s 261 am [A2011-22](#) amdt 1.163

om [A2018-8](#) amdt 1.13

Registration—further information notices

s 262 am [A2011-22](#) amdt 1.163
om [A2018-8](#) amdt 1.13

Registration—obligation to register

s 263 am [A2011-22](#) amdt 1.163
om [A2018-8](#) amdt 1.13

Registration—duration and renewal

s 264 am [A2011-22](#) amdt 1.163
om [A2018-8](#) amdt 1.13

Registration—significant change of risk

s 265 am [A2011-22](#) amdt 1.163
om [A2018-8](#) amdt 1.13

Registration—further information about risk change

s 266 am [A2011-22](#) amdt 1.163
om [A2018-8](#) amdt 1.13

Registration—amendment or cancellation

s 267 am R18 LA
om [A2018-8](#) amdt 1.13

Registrable premises—dangerous occurrence reporting

pt 2.7 hdg om [A2018-8](#) amdt 1.13

Records of actual and likely dangerous occurrences—Act, s 216 (1) (m)

s 268 am [A2011-22](#) amdt 1.163
om [A2018-8](#) amdt 1.13

Form of records of actual and likely dangerous occurrences

s 269 om [A2018-8](#) amdt 1.13

Manifest quantity registrable premises

pt 2.8 hdg om [A2018-8](#) amdt 1.13

Manifest quantity registrable premises—manifests

div 2.8.1 hdg om [A2018-8](#) amdt 1.13

Manifests—requirement to keep

s 270 om [A2018-8](#) amdt 1.13

Manifests—must be kept up to date

s 271 om [A2018-8](#) amdt 1.13

Manifests—how kept

s 272 om [A2018-8](#) amdt 1.13

Manifest quantity registrable premises—emergency plans

div 2.8.2 hdg om [A2018-8](#) amdt 1.13

Meaning of *emergency plan*—div 2.8.2

s 273 om [A2018-8](#) amdt 1.13

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**Emergency plan—safety management systems for Act,
s 19 (1) (e)**

s 274 om [A2018-8](#) amdt 1.13

Emergency plan—making

s 275 am [A2009-28](#) amdt 2.18; [A2011-55](#) amdt 1.16
om [A2018-8](#) amdt 1.13

**Emergency plan—instruction for employee representatives and
neighbouring occupiers**

s 276 am [A2009-28](#) amdt 2.18; [A2011-55](#) amdt 1.17
om [A2018-8](#) amdt 1.13

Emergency plan—review as necessary

s 277 am [A2009-28](#) amdt 2.18; [A2011-55](#) amdt 1.18
om [A2018-8](#) amdt 1.13

Emergency plan—5-year review

s 278 am [A2009-28](#) amdt 2.18; [A2011-55](#) amdt 1.19
om [A2018-8](#) amdt 1.13

Emergency plan—consultation for review

s 279 am [A2009-28](#) amdt 2.18; [A2011-55](#) amdt 1.20
om [A2018-8](#) amdt 1.13

Non-registrable premises

pt 2.9 hdg om [A2018-8](#) amdt 1.13

Non-registrable premises—safety management system requirements

div 2.9.1 hdg om [A2018-8](#) amdt 1.13

**Non-registrable premises—safety management system requirements for Act,
s 19 (1) (e)**

s 280 om [A2018-8](#) amdt 1.13

**Non-registrable premises—hazard identification for Act,
s 19 (2)**

s 281 om [A2018-8](#) amdt 1.13

Non-registrable premises—risk control

div 2.9.2 hdg om [A2018-8](#) amdt 1.13

Non-registrable premises—preventing interaction with other substances

s 282 om [A2018-8](#) amdt 1.13

**Non-registrable premises—preventing contamination of food or personal
products**

s 283 om [A2018-8](#) amdt 1.13

Non-registrable premises—decommissioning

s 284 om [A2018-8](#) amdt 1.13

Non-registrable premises—personal protective or safety equipments 285 om [A2018-8](#) amdt 1.13**Non-registrable premises—lighting**s 286 om [A2018-8](#) amdt 1.13**Non-registrable premises—access**s 287 om [A2018-8](#) amdt 1.13**Non-registrable premises—security**s 288 om [A2018-8](#) amdt 1.13**Non-registrable premises—spill containment**s 289 om [A2018-8](#) amdt 1.13**Non-registrable premises—transfer of dangerous substances**s 290 om [A2018-8](#) amdt 1.13**Non-registrable premises—equipment for clean-ups**s 291 om [A2018-8](#) amdt 1.13**Non-registrable premises—ignition sources**s 292 om [A2018-8](#) amdt 1.13**Non-registrable premises—ventilation and atmospheric emissions**s 293 om [A2018-8](#) amdt 1.13**Non-registrable premises—information**div 2.9.3 hdg om [A2018-8](#) amdt 1.13**Non-registrable premises—information for substance handlers**s 294 om [A2018-8](#) amdt 1.13**Non-registrable premises—information for plant users**s 295 om [A2018-8](#) amdt 1.13**Non-registrable premises—information for visitors**s 296 om [A2018-8](#) amdt 1.13**Non-registrable premises—safety data sheets**s 297 om [A2018-8](#) amdt 1.13**Non-registrable premises—register of dangerous substances**s 298 om [A2018-8](#) amdt 1.13**Non-registrable premises records—change of person in control**s 299 om [A2018-8](#) amdt 1.13**Non-registrable premises—incorrectly labelled packages**s 299A om [A2018-8](#) amdt 1.13**Non-registrable premises—information placards for tanks**s 299B pars renum R14 LA
om [A2018-8](#) amdt 1.13

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Asbestos and asbestos containing material

ch 3 hdg sub [A2014-53](#) s 46

Meaning of *asbestos containing material (ACM)*—ch 3

s 301 sub [A2014-53](#) s 47
def **asbestos** om [A2011-10](#) s 7
def **asbestos product** om [A2014-53](#) s 47
def **authorised activity** om [A2014-53](#) s 47
def **authorised activity condition** om [A2014-53](#) s 47
def **chrysotile product** exp 31 December 2010 (s 321 (2))
def **exemption** exp 31 December 2010 (s 321 (2))

Meaning of *asbestos containing material (ACM)*—ch 3

s 302 om [A2014-53](#) s 47

When asbestos and asbestos containing material correctly packed—Act, s 14 (1) (a)

s 303 hdg sub [A2014-53](#) s 48
s 303 am [A2014-53](#) s 49, s 50
om [A2018-8](#) amdt 1.14

When asbestos and asbestos containing material correctly labelled—Act, s 14 (2) (a)

s 304 hdg sub [A2014-53](#) s 51
s 304 am [A2014-53](#) s 52, s 53
om [A2018-8](#) amdt 1.14

Asbestos and asbestos containing material are prohibited dangerous substances—Act, s 73, def *prohibited dangerous substance*

s 305 hdg sub [A2014-53](#) s 54
s 305 am [A2014-53](#) s 55
om [A2018-8](#) amdt 1.14

Authorised handling of asbestos and asbestos products

pt 3.2 hdg note 2 sub [A2009-34](#) amdt 1.5
hdg and notes sub [A2014-53](#) s 56
om [A2018-8](#) amdt 1.14

Authorised importation of asbestos and asbestos containing material—Act, s 75 (1) (b)

s 306 am [SL2007-38](#) s 4; [SL2004-56](#) s 306 (5)
(4)-(6) exp 1 January 2011 (s 306 (6))
sub [A2014-53](#) s 57
om [A2018-8](#) amdt 1.14

Authorised supply of asbestos and asbestos containing material—Act, s 76 (1) (b) and (3) (b)

s 307 am [SL2007-38](#) s 5; [SL2004-56](#) s 307 (5)
(4)-(6) exp 1 January 2011 (s 307 (6))
sub [A2014-53](#) s 57
om [A2018-8](#) amdt 1.14

**Authorised possession of asbestos and asbestos containing material—
Act, s 77 (1) (b)**

s 308 am [SL2007-38](#) s 6; SL2004-56 s 308 (4)
(4), (5) exp 1 January 2011 (s 308 (5))
sub [A2014-53](#) s 57
om [A2018-8](#) amdt 1.14

Storage of asbestos and asbestos containing material—Act, s 78 (1) (a)

s 309 am [SL2007-38](#) s 7
(3), (4) exp 31 December 2010 (s 309 (4))
sub [A2014-53](#) s 57
om [A2018-8](#) amdt 1.14

**Authorised use of asbestos and asbestos containing material—Act,
s 79 (1) (b)**

s 310 am [SL2007-38](#) s 8; SL2004-56 s 310 (5)
(4)-(6) exp 1 January 2011 (s 310 (6))
sub [A2014-53](#) s 57
om [A2018-8](#) amdt 1.14

Asbestos management—non-workplace premises

pt 3.3 hdg exp 31 December 2010 (s 321 (1))
ins [SL2014-32](#) s 17

Application—pt 3.3

s 311 (4), table 311 item 2 exp 31 December 2004 (s 311 (4))
(5), table 311 items 1, 4 exp 31 December 2006 (s 311 (5))
am [SL2007-38](#) s 9
remainder exp 31 December 2010 (s 321 (1))
ins [SL2014-32](#) s 17

Removal of asbestos or ACM from premises

s 312 exp 31 December 2010 (s 321 (1))
ins [SL2014-32](#) s 17

Asbestos removal control plan

s 313 exp 31 December 2010 (s 321 (1))
ins [SL2014-32](#) s 17

Asbestos removal control plan to be kept and available

s 314 exp 31 December 2010 (s 321 (1))
ins [SL2014-32](#) s 17

Chrysotile product exemptions—non-transferable

s 315 exp 31 December 2010 (s 321 (1))

Chrysotile product exemptions—form

s 316 exp 31 December 2010 (s 321 (1))

Chrysotile product exemptions—commencement and cancellation

s 317 exp 31 December 2010 (s 321 (1))

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Chrysotile product exemptions—amendment

s 318 exp 31 December 2010 (s 321 (1))

Chrysotile product exemptions—disciplinary action

s 319 exp 31 December 2010 (s 321 (1))

Chrysotile product exemptions—continuation of earlier exemptions

s 320 exp 31 December 2010 (s 321 (1))

Expiry—pt 3.3

s 321 am [SL2007-38](#) s 10
exp 31 December 2010 (s 321 (1))

Asbestos management—non-residential premises

pt 3.4 hdg ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Application—pt 3.4

s 322 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Definitions—pt 3.4

s 323 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **asbestos management plan** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **asbestos register** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **building** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **class** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **commercial premises** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **community or recreational premises** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **disturb** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **industrial premises** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **licensed asbestos assessor** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **national standards** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **non-residential premises** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58
def **risk assessment** ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Meaning of *non-residential premises*—pt 3.4

s 324 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Asbestos management plan

s 325 ins [SL2007-23](#) s 4
(5)-(7) exp 31 December 2011 (s 325 (7) (LA s 88 declaration applies))
om [A2014-53](#) s 58

Asbestos management plan—review

s 326 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Asbestos register

s 327 ins [SL2007-23](#) s 4
(5)-(7) exp 31 December 2011 (s 327 (7) (LA s 88 declaration applies))
om [A2014-53](#) s 58

Asbestos register—access

s 328 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Asbestos register—review

s 329 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Identifying asbestos products etc

s 330 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Presumed presence of asbestos products

s 331 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Asbestos warning signs etc

s 332 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Asbestos risk assessment

s 333 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Asbestos risk assessment—review

s 334 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Asbestos—atmospheric monitoring

s 335 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

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Atmospheric asbestos—exposure standard exceeded

s 336 ins [SL2007-23](#) s 4
om [A2014-53](#) s 58

Asbestos management—residential premises

pt 3.5 hdg ins [SL2014-19](#) s 4

Application—pt 3.5

s 337 ins [SL2014-19](#) s 4

Definitions—pt 3.5

s 338 ins [SL2014-19](#) s 4
def **approved warning sign** ins [SL2014-19](#) s 4
def **asbestos contamination** ins [SL2015-13](#) s 4
def **asbestos contamination report** ins [SL2015-13](#) s 4
def **class** ins [SL2014-19](#) s 4
om [A2015-6](#) amdt 1.5
def **contamination management plan** ins [SL2015-13](#) s 4
def **licensed asbestos assessor** ins [SL2015-10](#) s 4
def **licensed asbestos removalist** ins [A2015-42](#) s 22
def **living areas** ins [SL2015-13](#) s 4
def **loose-fill asbestos insulation** ins [SL2014-19](#) s 4
om [A2015-6](#) amdt 1.5
def **regulator** ins [SL2015-13](#) s 4
def **residential premises** ins [SL2014-19](#) s 4
sub [A2015-6](#) amdt 1.6

Asbestos warning signs—approval

s 339 ins [SL2014-19](#) s 4
am [A2015-6](#) amdt 1.7

Offence—asbestos warning signs

s 340 ins [SL2014-19](#) s 4
am [SL2014-19](#) s 5; ss renum R21 LA

Asbestos contamination report

s 341 ins [SL2015-10](#) s 5
sub [SL2015-13](#) s 5

Asbestos contamination report—owner and occupier responsibilities

s 342 ins [SL2015-10](#) s 5
sub [SL2015-13](#) s 5
am [A2015-42](#) s 23

Assessor must give copy of report to regulator and owner

s 343 ins [SL2015-13](#) s 5

Asbestos removalist must give copy of work report to regulator and owner

s 344 hdg sub [A2015-42](#) s 24
s 344 ins [SL2015-13](#) s 5
am [A2015-42](#) s 25

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- Security sensitive substance—Act, s 10A**
s 400 sub [A2018-8](#) amdt 1.15
- Loss or theft of security sensitive substances—reporting**
s 403 am [A2011-22](#) amdt 1.163
- Suitable person to hold licence—Act, s 49 (1) (i)**
s 404 am [A2011-22](#) amdt 1.163
- Licence may only be issued for authorised purposes**
s 405 am [A2011-22](#) amdt 1.163
- Manufacturing licence conditions—Act, s 53 (2) (b)**
s 411 am [A2011-22](#) amdt 1.163
- Import licence conditions—Act, s 53 (2) (b)**
s 418 am [A2011-22](#) amdt 1.163
- Notice of import**
s 419 am [A2011-22](#) amdt 1.163
- Carrying licence conditions—Act, s 53 (2) (b)**
s 429 am [A2011-22](#) amdt 1.163
- Route and time restrictions**
s 431 am [A2011-22](#) amdt 1.163
- Storage licence conditions—Act, s 53 (2) (b)**
s 437 am [A2011-22](#) amdt 1.163
- Supply licence conditions—Act, s 53 (2) (b)**
s 444 am [A2011-22](#) amdt 1.163
- User licence conditions—Act, s 53 (2) (b)**
s 453 am [A2011-22](#) amdt 1.163
- Notification and review of decisions**
ch 5 hdg sub [A2008-37](#) amdt 1.116
- Internally reviewable decisions—Act, s 186, def *internally reviewable decision***
s 500 sub [A2008-37](#) amdt 1.116
- Reviewable decisions—Act, s 186, def *reviewable decision***
s 501 sub [A2008-37](#) amdt 1.116
- Internally reviewable decisions—right of review and notice—Act, s 186A and s 187 (1) (a)**
s 502 sub [A2008-37](#) amdt 1.116
- Reviewable decisions—right of review and notice—Act, s 190 and s 191 (1) (a)**
s 503 ins [A2008-37](#) amdt 1.116

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Transitional and consequential amendments

ch 6 hdg om R6 LA

Modification of Act, ch 14

pt 6.1 hdg exp 5 April 2006 (s 602)

Act modified—pt 6.1

s 600 exp 5 April 2006 (s 602)

Section 226 (3)

s 601 exp 5 April 2006 (s 602)

Expiry—pt 6.1

s 602 exp 5 April 2006 (s 602)

Licences

pt 6.2 hdg exp 1 July 2005 (s 603 (3))

Term of licence—Act, s 54 (2)

s 603 exp 1 July 2005 (s 603 (3))

Dangerous Substances (General) Regulation 2004 SL2004-9

pt 6.3 hdg om LA s 89 (3)

Legislation amended—pt 6.3

s 604 om LA s 89 (3)

Part 5

s 605 om LA s 89 (3)

Repeal of Dangerous Substances (General) Regulation 2004 SL2004-9

pt 6.4 hdg om LA s 89 (3)

Repeal

s 606 om LA s 89 (3)

Dangerous Substances (Explosives) Regulation 2004

pt 6.5 hdg om LA s 89 (3)

Legislation amended—pt 6.5

s 607 om LA s 89 (3)

Incorporated documents

Section 5 (2)

s 608 om LA s 89 (3)

Section 5 (4), definition of *incorporated document*, paragraphs (b) and (c)

s 609 om LA s 89 (3)

Section 5 (4), definition of *incorporated document*

s 610 om LA s 89 (3)

Section 5 (4), new definition of *properly notified*

s 611 om LA s 89 (3)

Section 20	
s 612	om LA s 89 (3)
New section 22A	
s 613	om LA s 89 (3)
Loss or theft of explosives—reporting	
Section 25 (1) (b)	
s 614	om LA s 89 (3)
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s 615	om LA s 89 (3)
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s 616	om LA s 89 (3)
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Section 32 (3) (b) (ii)	
s 617	om LA s 89 (3)
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s 618	om LA s 89 (3)
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Section 45 (b) (i)	
s 619	om LA s 89 (3)
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s 620	om LA s 89 (3)
Sections 55 and 56	
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Explosives for which no import licence required	
Section 91 (4)	
s 622	om LA s 89 (3)
Import licence applications—Act, s 50 (2)	
Section 94 (a)	
s 623	om LA s 89 (3)
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s 624	om LA s 89 (3)
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s 625	om LA s 89 (3)
Notice of import	
Section 96 (4)	
s 626	om LA s 89 (3)
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Section 98 (3) (a) and (b)	
s 627	om LA s 89 (3)

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Authority to carry explosives by road

Section 100 (1)

s 628 om LA s 89 (3)

Section 100 (2) (b) (ii) and (2), note 3

s 629 om LA s 89 (3)

Section 101 heading

s 630 om LA s 89 (3)

Section 101 (1)

s 631 om LA s 89 (3)

Section 101 (2)

s 632 om LA s 89 (3)

Sections 105 and 106

s 633 om LA s 89 (3)

Authority for driving vehicle carrying explosives

Section 107 (1) (a) (i)

s 634 om LA s 89 (3)

Section 107 (1) (a) (ii)

s 635 om LA s 89 (3)

Explosives driving licence applications—Act, s 50 (2)

Section 111 (a)

s 636 om LA s 89 (3)

Section 111

s 637 om LA s 89 (3)

Suitable people to hold explosives driving licences—Act, s 49 (1) (i)

Section 112 (1), new notes

s 638 om LA s 89 (3)

Section 112 (3), note

s 639 om LA s 89 (3)

Production of driving authority on request

Section 114 (4), definition of required authorisation, paragraph (a) (ii)

s 640 om LA s 89 (3)

Route and time restrictions

Section 117 (2)

s 641 om LA s 89 (3)

Authority to store explosives

Section 125 (1)

s 642 om LA s 89 (3)

Storage licence applications—Act, s 50 (2)**Section 128 (1) (a)**

s 643 om LA s 89 (3)

Section 128 (1) (n)

s 644 om LA s 89 (3)

Section 128 (1)

s 645 om LA s 89 (3)

Sections 129 and 130

s 646 om LA s 89 (3)

Separation distance for magazines**Section 135 (3) (c)**

s 647 om LA s 89 (3)

Authority to supply explosives**Section 166 (b)**

s 648 om LA s 89 (3)

Section 166

s 649 om LA s 89 (3)

Supply licence applications—Act, s 50 (2)**Section 169 (a) and (b)**

s 650 om LA s 89 (3)

Section 169

s 651 om LA s 89 (3)

Section 170

s 652 om LA s 89 (3)

Supply only to authorised people**Section 174 (1)**

s 653 om LA s 89 (3)

Section 174

s 654 om LA s 89 (3)

Supply records**Section 176 (1)**

s 655 om LA s 89 (3)

Section 176

s 656 om LA s 89 (3)

False or misleading statements about authority to supply explosives**Section 177 (1) (b) (ii)**

s 657 om LA s 89 (3)

New section 177 (3) and (4)

s 658 om LA s 89 (3)

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Section 182

s 659 om LA s 89 (3)

Shotfirer licence applications—Act, s 50 (2)

Section 185 (a) and (b)

s 660 om LA s 89 (3)

Section 185

s 661 om LA s 89 (3)

Section 186 heading

s 662 om LA s 89 (3)

Section 186 (1), new notes

s 663 om LA s 89 (3)

Section 186 (3), note

s 664 om LA s 89 (3)

Section 187

s 665 om LA s 89 (3)

Section 190 heading

s 666 om LA s 89 (3)

Section 190 (1), new notes

s 667 om LA s 89 (3)

Section 191, heading

s 668 om LA s 89 (3)

Section 191 (1), note

s 669 om LA s 89 (3)

Authority to dispose of explosives

Section 252 (1)

s 670 om LA s 89 (3)

Section 252 (2) (b)

s 671 om LA s 89 (3)

Safe disposal of explosives—general rules

Section 256 (a) and (b)

s 672 om LA s 89 (3)

Section 258

s 673 om LA s 89 (3)

Consumer fireworks definitions

Section 264, definition of identification papers

s 674 om LA s 89 (3)

Fireworks display definitions**Section 299, definition of display operator licence**

s 675 om LA s 89 (3)

Section 305 heading

s 676 om LA s 89 (3)

Section 305 (1), new notes

s 677 om LA s 89 (3)

Section 305 (4), notes

s 678 om LA s 89 (3)

Fireworks display permit applications—Act, s 50 (2)**Section 307 (1) (f)**

s 679 om LA s 89 (3)

Section 308 heading

s 680 om LA s 89 (3)

Section 308 (1), new notes

s 681 om LA s 89 (3)

Insurance requirements**Section 310**

s 682 om LA s 89 (3)

Time and place restrictions for outdoor displays**Section 313 (1) (b)**

s 683 om LA s 89 (3)

Dictionary, note 3

s 684 om LA s 89 (3)

Dictionary, new definition of *adverse security assessment*

s 685 om LA s 89 (3)

Dictionary, definition of *aerial shell*, note

s 686 om LA s 89 (3)

Dictionary, definitions of AS 2187.0, AS 2187.1, AS 2187.2 and AS 2187.4

s 687 om LA s 89 (3)

Dictionary, definitions of *Australian Dangerous Goods Code* and *Australian Explosives Code*

s 688 om LA s 89 (3)

Dictionary, new definition

s 689 om LA s 89 (3)

Dictionary, definition of *identification papers*

s 690 om LA s 89 (3)

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Dictionary, new definitions

s 691 om LA s 89 (3)

Dictionary, definition of *salute shell*

s 692 om LA s 89 (3)

Dictionary, new definitions

s 693 om LA s 89 (3)

Dictionary, definition of *supply*, paragraph (b)

s 694 om LA s 89 (3)

Dictionary, new definition

s 695 om LA s 89 (3)

Dangerous substances—quantity

sch 1 om [A2018-8](#) amdt 1.16

Placards

sch 2 om [A2018-8](#) amdt 1.16

Manifests

sch 3 om [A2018-8](#) amdt 1.16

Security sensitive substances

sch 4 am [A2018-8](#) amdt 1.17

Reviewable decisions

sch 5 hdg am [A2008-37](#) amdt 1.117

sch 5 am [A2008-37](#) amdt 1.118

Director-general—reviewable decisions under Act

sch 5 pt 5.1 hdg (prev sch 5 pt 1.1 hdg) renum R1 LA

am [A2011-22](#) amdt 1.163

sch 5 pt 5.1 am [A2011-22](#) amdt 1.163

Inspectors—internally reviewable decisions under Act

sch 5 pt 5.2 hdg (prev sch 5 pt 1.2 hdg) renum R1 LA

Director-general—reviewable decisions under this regulation

sch 5 pt 5.3 hdg (prev sch 5 pt 1.3 hdg) renum R1 LA

am [A2011-22](#) amdt 1.163

sch 5 pt 5.3 am [A2011-22](#) amdt 1.163

Dictionary

dict am [SL2007-23](#) s 5; [A2008-37](#) amdts 1.119-1.121; [A2009-49](#) amdt 3.43; [A2011-10](#) s 8; [A2011-22](#) amdt 1.164; [A2015-6](#) amdt 1.8; [A2015-50](#) amdt 3.96; [A2016-33](#) amdt 1.16; [A2018-8](#) amdt 1.18, amdt 1.19
def **ACM** ins [A2014-53](#) s 59
def **affected residential premises** ins [SL2014-19](#) s 6
def **approved warning sign** ins [SL2014-19](#) s 6
def **asbestos** om [A2011-10](#) s 9

def **asbestos containing material (ACM)** ins [A2014-53](#) s 59

def **asbestos contamination** ins [SL2015-13](#) s 6

def **asbestos contamination report** ins [SL2015-13](#) s 6

def **asbestos management plan** ins [SL2007-23](#) s 6
om [A2014-53](#) s 60

def **asbestos product** om [A2014-53](#) s 60

def **asbestos register** ins [SL2007-23](#) s 6
om [A2014-53](#) s 60

def **asbestos-related work** ins [A2014-53](#) s 61

def **authorised activity** om [A2014-53](#) s 62

def **authorised activity condition** om [A2014-53](#) s 62

def **C1 combustible liquid** om [A2018-8](#) amdt 1.20

def **C2 combustible liquid** om [A2018-8](#) amdt 1.20

def **capacity** om [A2018-8](#) amdt 1.20

def **chrysotile product** exp 31 December 2010 (s 321 (2))

def **class**, of a dangerous substance of a particular kind om [A2018-8](#) amdt 1.20

def **class**, of building ins [SL2014-19](#) s 6
om [A2015-6](#) amdt 1.9

def **class label** om [A2018-8](#) amdt 1.20

def **combustible liquid** om [A2018-8](#) amdt 1.20

def **compatible** om [A2018-8](#) amdt 1.20

def **container** om [A2018-8](#) amdt 1.20

def **contamination management plan** ins [SL2015-13](#) s 6

def **dangerous substance** om [A2018-8](#) amdt 1.20

def **disturb** ins [SL2007-23](#) s 6
om [A2014-53](#) s 62

def **emergency plan** om [A2018-8](#) amdt 1.20

def **emergency service** om [A2018-8](#) amdt 1.20

def **exemption** exp 31 December 2010 (s 321 (2))

def **fire risk dangerous substance** om [A2018-8](#) amdt 1.20

def **flashpoint** om [A2018-8](#) amdt 1.20

def **good too dangerous to be transported** om [A2018-8](#) amdt 1.20

def **hazchem code** om [A2018-8](#) amdt 1.20

def **health and safety representative** om [A2009-28](#) amdt 2.16
ins [A2011-55](#) amdt 1.21
om [A2018-8](#) amdt 1.20

def **identification papers** am [A2009-49](#) amdt 3.44; [A2010-43](#) amdt 1.9; [A2016-7](#) amdt 1.8

def **importer** om [A2018-8](#) amdt 1.20

def **intermediate bulk container** om [A2018-8](#) amdt 1.20

def **International Air Transport Association Regulations** om [A2018-8](#) amdt 1.20

def **International Civil Aviation Organization Standards** om [A2018-8](#) amdt 1.20

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- def **International Maritime Dangerous Goods Code** om [A2018-8](#) amdt 1.20
- def **in transit** om [A2018-8](#) amdt 1.20
- def **licensed asbestos assessor** ins [SL2007-23](#) s 6
om [A2014-53](#) s 62
ins [SL2015-10](#) s 6
- def **licensed asbestos removalist** ins [A2015-42](#) s 26
- def **living areas** ins [SL2015-13](#) s 6
- def **loose-fill asbestos insulation** ins [SL2014-19](#) s 6
om [A2015-6](#) amdt 1.9
- def **manifest quantity** om [A2018-8](#) amdt 1.20
- def **manifest quantity registrable premises** om [A2018-8](#)
amdt 1.20
- def **manufacturer** om [A2018-8](#) amdt 1.20
- def **National Exposure Standards** om [A2018-8](#) amdt 1.20
- def **national standards** ins [SL2007-23](#) s 6
om [A2014-53](#) s 62
- def **non-registrable premises** om [A2018-8](#) amdt 1.20
- def **non-residential premises** ins [SL2007-23](#) s 6
om [A2014-53](#) s 62
- def **package** om [A2018-8](#) amdt 1.20
- def **packaged** om [A2018-8](#) amdt 1.20
- def **packaging** om [A2018-8](#) amdt 1.20
- def **packing group** om [A2018-8](#) amdt 1.20
- def **pipework** om [A2018-8](#) amdt 1.20
- def **placard quantity** om [A2018-8](#) amdt 1.20
- def **placard quantity notice** om [A2018-8](#) amdt 1.20
- def **placard quantity register** om [A2018-8](#) amdt 1.20
- def **proper shipping name** om [A2018-8](#) amdt 1.20
- def **registrable premises** om [A2018-8](#) amdt 1.20
- def **regulator** ins [SL2015-13](#) s 6
- def **residential premises** ins [SL2014-19](#) s 6
sub [A2015-6](#) amdt 1.10
- def **retailer** om [A2018-8](#) amdt 1.20
- def **risk assessment** sub [SL2007-23](#) s 7; [A2014-53](#) s 63
om [A2018-8](#) amdt 1.20
- def **safety data sheet** om [A2018-8](#) amdt 1.20
- def **SDS** om [A2018-8](#) amdt 1.20
- def **subsidiary risk** om [A2018-8](#) amdt 1.20
- def **subsidiary risk label** om [A2018-8](#) amdt 1.20
- def **supplier** om [A2018-8](#) amdt 1.20
- def **tank** om [A2018-8](#) amdt 1.20
- def **total quantity** om [A2018-8](#) amdt 1.20
- def **transfer** om [A2018-8](#) amdt 1.20
- def **UN number** om [A2018-8](#) amdt 1.20
- def **work safety representative** ins [A2009-28](#) amdt 2.17
om [A2011-55](#) amdt 1.22

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No and date	Effective	Last amendment made by	Republication for
R1 15 Dec 2004	15 Dec 2004– 31 Dec 2004	not amended	new regulation
R2 1 Jan 2005	1 Jan 2005– 30 Mar 2005	not amended	commenced expiry
R3 31 Mar 2005	31 Mar 2005– 29 June 2005	not amended	commenced provisions
R4 30 June 2005	30 June 2005– 1 July 2005	not amended	commenced provisions
R5 2 July 2005	2 July 2005– 5 Apr 2006	not amended	commenced expiry
R6 6 Apr 2006	6 Apr 2006– 31 Dec 2006	not amended	commenced expiry
R7 1 Jan 2007	1 Jan 2007– 6 Sept 2007	not amended	commenced expiry
R8 7 Sept 2007	7 Sept 2007– 17 Dec 2007	SL2007-23	amendments by SL2007-23
R9 18 Dec 2007	18 Dec 2007– 1 Feb 2009	SL2007-38	amendments by SL2007-38
R10 2 Feb 2009	2 Feb 2009– 30 Sept 2009	A2008-37	amendments by A2008-37
R11 1 Oct 2009	1 Oct 2009– 16 Dec 2009	A2009-34	amendments by A2009-28
R12 17 Dec 2009	17 Dec 2009– 1 Apr 2010	A2009-49	amendments by A2009-49

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Republication No and date	Effective	Last amendment made by	Republication for
R13 (RI) 6 Apr 2010	2 Apr 2010– 30 Nov 2010	A2009-49	amendments by A2009-34 reissue for republication correction
R14 1 Dec 2010	1 Dec 2010– 31 Dec 2010	A2010-43	amendments by A2010-43
R15 1 Jan 2011	1 Jan 2011– 1 Jan 2011	A2010-43	amendments by SL2004-56 and expiry of provisions (defs chrysotile product and exemption (s 301 and dict), s 309 (3), (4) and pt 3)
R16 2 Jan 2011	2 Jan 2011– 16 Mar 2011	A2010-43	expiry of provisions (s 306 (4)-(6), s 307 (4)-(6), s 308 (4), (5) and s 310 (4)-(6))
R17 17 Mar 2011	17 Mar 2011– 30 June 2011	A2011-10	amendments by A2011-10
R18 1 July 2011	1 July 2011– 31 Dec 2011	A2011-22	amendments by A2011-22
R19 1 Jan 2012	1 Jan 2012– 31 Aug 2014	A2011-55	amendments by A2011-55 and expiry of provisions (s 325 (5)-(7), s 327 (5)-(7))
R20 1 Sept 2014	1 Sept 2014– 31 Dec 2014	SL2014-19	amendments by SL2014-19
R21 1 Jan 2015	1 Jan 2015– 14 May 2015	SL2014-32	amendments by SL2014-19 , A2014-53 and SL2014-32
R22 15 May 2015	15 May 2015– 28 June 2015	SL2015-10	amendments by SL2015-10

Republication No and date	Effective	Last amendment made by	Republication for
R23 29 June 2015	29 June 2015– 8 Dec 2015	SL2015-10	amendments by A2015-6
R24 9 Dec 2015	9 Dec 2015– 31 Jan 2016	A2015-50	amendments by A2015-50
R25 1 Feb 2016	1 Feb 2016– 20 June 2016	A2015-50	amendments by SL2015-13 and A2015-42
R26 21 June 2016	21 June 2016– 28 Aug 2016	A2016-33	amendments by A2016-33
R27 29 Aug 2016	29 Aug 2016– 28 Mar 2018	A2016-33	amendments by A2016-7

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