

NORTHERN TERRITORY OF AUSTRALIA

DANGEROUS GOODS ACT

No. 4 of 1981

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SCHEDULE

# THE NORTHERN TERRITORY OF AUSTRALIA

No. 4 of 1981

## AN ACT

Relating to handling of certain dangerous goods

[Assented to 9 January 1981]

BE it enacted by the Legislative Assembly of the Northern Territory of Australia, with the assent as provided by the *Northern Territory (Self-Government) Act 1978* of the Commonwealth, as follows:

### PART I - PRELIMINARY

#### 1. SHORT TITLE

This Act may be cited as the Dangerous Goods Act 1980.

#### 2. COMMENCEMENT

This Act shall come into operation on a date to be fixed by the Administrator by notice in the Gazette.

#### 3. REPEAL

The Ordinances and Acts listed in the Schedule are repealed.

#### 4. SAVINGS

Notwithstanding the repeal effected by section 3, a licence granted under the Explosives Act and in force immediately before the date of commencement of this Act continues in force as though it were a licence granted under this Act until the date when, but for this Act, it would have expired, but may be amended, suspended or cancelled as though it had been granted under this Act.

#### 5. DEFINITIONS

In this Act, unless the contrary intention appears -

"aircraft" includes any machine that can derive support in the atmosphere from reactions in the air;

"Chief Inspector" means the Chief Inspector appointed under section 8(1)(a) and includes a Deputy Chief Inspector while he is exercising the powers and performing the duties and functions of the Chief Inspector;

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"container", in relation to dangerous goods, includes any receptacle and any covering;

"convey", in relation to dangerous goods, includes transport, transmit and carry the dangerous goods by any means whatsoever;

"dangerous goods" means substances or things (including chemicals and gases) declared under section 13 to be dangerous goods;

"Deputy Chief Inspector" means a Deputy Chief Inspector appointed under section 8(1)(b);

"dump" means land declared under section 27 to be a dump;

"explosives" means -

(a) substances or articles manufactured, designed or ordinarily used for the purpose of producing a practical effect by an explosion or a pyrotechnic effect; and

(b) substances or articles prescribed by the Regulations to be explosives,

and includes fireworks and gunpowder and containers that have contained a substance or article to which either paragraph (a) or (b) applies or fireworks or gunpowder that have not been certified, in accordance with the Regulations, to be free from explosives, but does not include a substance ordinarily used as a fuel unless that substance has been combined with another substance to produce a mixture which is not ordinarily used as a fuel;

"fireworks" means any article designed to produce a sound or pyrotechnic effect by the means of the explosion or ignition of an explosive and designed only for the purpose of amusement, display or for use as a signal;

"government explosives magazine" means a government explosives magazine established under section 23(2);

"government explosives reserve" means land declared under section 23(1) to be a government explosives reserve;

"handling", in relation to dangerous goods, means the preparation, packaging, manufacture, conveyance, storage or use of dangerous goods;

"inspector" means an inspector appointed under section 8(1)(c) and includes the Chief Inspector, a Deputy Chief Inspector and a member of the Police Force or a fire brigade exercising the powers of an inspector under section 12;

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"licence" means a licence granted under this Act;

"manufacture" includes making, remaking, altering, breaking up, reconditioning and any process of manufacture;

"premises" includes buildings and portable structures;

"public servant" means an employee within the meaning of the Public Service Act;

"sell" includes -

- (a) barter or exchange;
- (b) offer or expose for sale, barter or exchange;
- (c) cause or suffer to be sold, bartered, exchanged or offered or exposed for sale;
- (d) attempt to sell, barter, exchange or offer or expose for sale;
- (e) have in possession for sale, barter or exchange;
- (f) cause or suffer to be sent, forwarded or delivered for sale or for barter or exchange; and
- (g) attempt to forward or deliver for sale or for barter or exchange;

"ship" means any vessel used in navigation, and includes -

- (a) a barge, lighter or other floating vessel; and
- (b) unless the contrary intention appears, an aircraft,

but does not include a ship for the time being employed in the defence forces of Australia or in the defence forces of a foreign government;

"substance" includes gas, liquid, gas mixture and liquid mixture;

"vehicle" means any vehicle propelled by internal combustion, steam, gas, oil, electricity or any other power and used or intended to be used or adapted or capable of being adapted for use on roads whether or not it is in a fit state for use and includes a trailer or caravan intended or adapted or capable of being adapted for use as an attachment to such a vehicle, any chassis or body with or without wheels appearing to form or have formed part of such a vehicle or trailer or caravan and anything attached to such a vehicle, trailer or caravan.

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### 6. APPLICATION

- (1) This Act does not apply to or in relation to -
  - (a) radioactive substances within the meaning of the Radiation (Safety Control) Act;
  - (b) radioactive material within the meaning of the Radioactive Ores and Concentrates (Packaging and Transport) Act; or
  - (c) a prescribed substance within the meaning of the Atomic Energy Act 1953 of the Commonwealth.
- (2) This Act does not apply to the handling of dangerous goods where -
  - (a) that handling is on land lawfully occupied for the recovery of minerals; and
  - (b) the dangerous goods are being handled for the purpose of the recovery of minerals.

### 7. CROWN BOUND

This Act binds the Crown.

## PART II - ADMINISTRATION

### 8. APPOINTMENTS

- (1) The Minister may appoint a public servant to be -
  - (a) the Chief Inspector;
  - (b) a Deputy Chief Inspector; or
  - (c) an inspector.
- (2) Where the Chief Inspector is absent from the Territory or otherwise unable to exercise his powers or perform his duties or functions, the Deputy Chief Inspector may exercise those powers and perform those duties and functions.
- (3) The power of the Minister under sub-section (1) includes the power to impose, in the instrument of appointment, conditions or restrictions on the exercise of powers or the performance of duties or functions by the person so appointed, and the person is appointed accordingly.

### 9. CONTROL OF OFFICERS

- (1) The Chief Inspector is, in the exercise of his powers and the performance of his duties and functions, subject to the direction of the Minister.

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(2) A Deputy Chief Inspector and an inspector are, in the exercise of their powers and the performance of their duties and functions, subject to the direction of the Chief Inspector.

### 10. DELEGATION

(1) The Chief Inspector may, from time to time, by instrument in writing, delegate to a person such of his powers and functions, other than this power of delegation, as are specified in the instrument.

(2) A delegation referred to in sub-section (1) may be made generally or for any particular case or class of cases.

(3) A power or function delegated under this section may be exercised or performed, in accordance with the terms of the delegation, by the person to whom the delegation is made.

(4) A delegation under this section is revocable at will and does not prevent the exercise of a power or the performance of a function by the Chief Inspector.

### 11. POWERS OF INSPECTORS

(1) An inspector may -

- (a) examine, take stock of and take samples of, if necessary by opening any container, without cost, any dangerous goods, or goods which he reasonably suspects to be dangerous goods, on any premises or vehicle;
- (b) enter and inspect premises specified in a licence, examine any licence or record required to be kept under this Act and, at the Territory's expense, take notes or extracts therefrom;
- (c) enter and inspect any premises, vehicle or ship which he believes on reasonable grounds is being or has been used for the handling of dangerous goods;
- (d) direct a person in control of a vehicle or ship which he believes on reasonable grounds is being or has been used for the transport of dangerous goods to stop the vehicle or ship;
- (e) detain a vehicle or ship which he believes on reasonable grounds is being or has been used for the transport of dangerous goods and inspect the vehicle or ship and its load;
- (f) direct a person in control of any vehicle or ship which he believes on reasonable grounds is carrying or has carried dangerous goods to take the vehicle or ship or its load to the nearest available weighing or testing facility and direct the driver of the vehicle or person in charge of the ship, as the case may be, to carry out, or himself carry out, or cause to be carried out, the weighing or testing of the vehicle, the ship or its load;

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- (g) install and use on any premises specified in a licence any equipment or measuring device for sampling, measuring or analysing any substance or material which he believes on reasonable grounds may be, or may contain, dangerous goods;
- (h) install and use on any premises other than those referred to in paragraph (g), but only with the consent of the owner or occupier of the premises, any equipment or measuring device for sampling, measuring or analysing any substance or material which he believes on reasonable grounds may be, or may contain, dangerous goods;
- (j) where he believes on reasonable grounds that an offence may have been committed against this Act or the Regulations -
  - (i) seize any dangerous goods, vehicle, ship, package, container, document, paper or record relating to or used in connection with the handling of dangerous goods and which he believes on reasonable grounds is related to the alleged offence; and
  - (ii) direct a person who the inspector believes on reasonable grounds may have committed the alleged offence to provide his name and such information relating to the handling of the relevant dangerous goods as the inspector thinks fit;
- (k) give a direction not inconsistent with this Act, the Regulations or a licence to a licensee or the owner of dangerous goods with respect to the handling of dangerous goods; and
- (m) if he believes on reasonable grounds that it is necessary in the public interest or for the safety of any person -
  - (i) with the written authority of the owner of the dangerous goods;
  - (ii) with the consent of the Minister; or
  - (iii) where there is imminent danger to a person or property - without the authority of the owner or the consent of the Minister,

destroy or render harmless any dangerous goods or give directions to any person with respect to the destruction of those goods or for the purpose of rendering them harmless or the situation safe.

(2) An inspector may exercise his powers under this Act with such assistance as he requires.



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(3) Subject to sub-section (4), a person directed to do or refrain from doing an act under sub-section (1)(d), (f), (j)(ii), (k) or (m) shall comply with and not contravene the direction.

Penalty: \$5,000, plus \$100 in respect of each day during which the failure to comply or the contravention continues.

(4) A person is not required to answer a question under sub-section (1)(j)(ii) if the answer thereto would or would tend to incriminate him.

(5) An inspector who takes a sample of goods in pursuance of sub-section (1)(a) shall -

(a) divide the sample so taken into 2 parts, put each part in a separate container, seal each container and affix to it a label bearing -

(i) the signature of the inspector;

(ii) the address of the premises on which the sample was taken; and

(iii) the date and time when the sample was taken; and

(b) deliver one of the containers referred to in paragraph (a) to the person apparently in charge of the premises or vehicle, as the case may be, for the time being.

(6) A person shall not obstruct or hinder an inspector or a person assisting an inspector in the exercise of the inspector's powers or the performance of the inspector's duties or functions under this Act.

Penalty: \$5,000.

(7) The cost of disposal, destroying or rendering harmless of dangerous goods under sub-section (1)(m) is a debt due to the Territory.

(8) A certificate purporting to be signed by the Chief Inspector specifying the cost of disposal, destroying or rendering harmless of specified dangerous goods under sub-section (1)(m) is evidence of that cost.

## 12. POWERS OF POLICE AND FIRE BRIGADE MEMBERS

If it appears to a member of the Police Force or a member of a fire brigade, other than a member of a volunteer fire brigade, within the meaning of the Fire Brigades Act that this Act is or has been contravened or not complied with in relation to the sale, purchase, possession, storage or use of any dangerous goods, the member has and may exercise all or any of the powers of an inspector under this Act.

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PART III - CONTROL OF DANGEROUS GOODS

Division 1 - Handling of Dangerous Goods

13. DANGEROUS GOODS

The Minister may, by notice in the Gazette, declare any substance or thing to be dangerous goods and classify the substances and things so declared.

14. SAFE HANDLING OF DANGEROUS GOODS

Subject to this Act and the Regulations, a person shall not -

- (a) abandon; or
- (b) negligently or carelessly handle any dangerous goods in such a manner or in such circumstances as -
  - (i) will endanger or is likely to endanger the life of any person;
  - (ii) will damage or is likely to damage any premises; or
  - (iii) will cause or is likely to cause injury to any person.

Penalty: \$5,000 or imprisonment for 12 months.

15. MANUFACTURE OF DANGEROUS GOODS

- (1) This section does not apply to or in relation to -
  - (a) the manufacture at a prescribed laboratory or institution and under the supervision of a person who is -
    - (i) one of the prescribed class of persons; or
    - (ii) approved in writing by the Chief Inspector,  
of a quantity of dangerous goods not exceeding an amount reasonably necessary for the purpose of chemical experiment and not intended for practical use or for sale; or
  - (b) the filling, in the prescribed manner, of safety cartridges.
- (2) A person shall not manufacture any dangerous goods -
  - (a) except in accordance with the Regulations; and
  - (b) unless he is exempted by the Regulations - except with and in accordance with the terms and conditions of a licence.

Penalty: \$5,000.

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### 16. STORAGE OF DANGEROUS GOODS

(1) Subject to sub-section (2), a person shall not store any dangerous goods on any premises -

- (a) except in accordance with the Regulations; and
- (b) unless he is exempted by the Regulations - except with and in accordance with the terms and conditions of a licence.

Penalty: \$5,000.

(2) A person licensed to manufacture dangerous goods on any premises may store on the premises the goods so manufactured.

(3) It is a defence to a prosecution for an offence against sub-section (1) that the quantity of dangerous goods stored did not exceed the prescribed quantity.

### 17. CONVEYANCE OF DANGEROUS GOODS

- (1) A person shall not convey any dangerous goods -
- (a) except in accordance with the Regulations; and
  - (b) unless he is exempted by the Regulations - except with and in accordance with the terms and conditions of a licence.

Penalty: \$5,000.

(2) It is a defence to a prosecution for an offence against sub-section (1) that the quantity of dangerous goods conveyed did not exceed the prescribed quantity.

### 18. PRECAUTIONS

A person who is conveying dangerous goods shall at all times take such precautions as are reasonably necessary to prevent access to the goods being gained by persons who are not authorized by or under this Act or the Regulations to gain such access.

Penalty: \$5,000.

### 19. SALE OF DANGEROUS GOODS

(1) Subject to this Act, a person shall not sell any prescribed dangerous goods -

- (a) except in accordance with the Regulations; and
- (b) unless he is exempted by the Regulations - except with and in accordance with the terms and conditions of a licence.

Penalty: \$5,000.

## Dangerous Goods

(2) Subject to this Act, a person shall not purchase any prescribed dangerous goods -

- (a) except in accordance with the Regulations; and
- (b) unless he is exempted by the Regulations - except with and in accordance with the terms and conditions of a licence.

Penalty: \$5,000.

(3) A person shall not sell any dangerous goods in a public place within the meaning of the Summary Offences Act.

Penalty: \$5,000.

(4) It is a defence to a prosecution for an offence against this section that the quantity of dangerous goods sold or purchased did not exceed the prescribed quantity.

### 20. IMPORT OR EXPORT OF DANGEROUS GOODS

(1) A person shall not import or export any prescribed dangerous goods into or out of the Territory unless he has given the Chief Inspector the prescribed notice of his intention to import or export the dangerous goods.

Penalty: \$5,000.

(2) A person who is importing dangerous goods into the Territory shall, forthwith upon the arrival in the Territory of the dangerous goods, serve on the Chief Inspector the prescribed notice of the arrival of the dangerous goods in the Territory.

Penalty: \$5,000.

(3) It is a defence to a prosecution for an offence against this section that the quantity of dangerous goods imported or exported did not exceed the prescribed quantity.

### 21. POSSESSION OF DANGEROUS GOODS

(1) A person shall not have any prescribed dangerous goods in his possession -

- (a) except in accordance with the Regulations; and
- (b) unless he is exempted by the Regulations - except with and in accordance with the terms and conditions of a licence.

Penalty: \$5,000.

(2) It is a defence to a prosecution for an offence against sub-section (1) that the quantity of prescribed dangerous goods in the possession of the person charged did not exceed the prescribed quantity.

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### 22. AUTHORIZED EXPLOSIVES

(1) The Chief Inspector may, by notice in the Gazette, authorize the use of the explosives or class of explosives specified in the notice in such circumstances and subject to such conditions as are specified in the notice.

(2) The Chief Inspector shall not exercise his power under sub-section (1) in relation to an explosive unless he has, by instrument in writing, specified the composition and character of the explosive.

(3) The Chief Inspector may, by instrument in writing, authorize a person to use a specified explosive for the purposes of experimentation or research, and may do so subject to such conditions as are specified in the instrument.

(4) A person shall not use explosives specified in a notice under sub-section (1) or an instrument under sub-section (3) except in the circumstances and subject to the conditions specified in the notice or instrument, as the case may be.

Penalty: \$5,000.

### Division 2 - Explosives Reserves and Government Magazines

### 23. GOVERNMENT EXPLOSIVES RESERVES AND MAGAZINES

(1) The Minister may, by notice in the Gazette, declare any Crown land within the meaning of the Crown Lands Act to be a government explosives reserve.

(2) The Chief Inspector may establish government explosives magazines in such places, buildings or other structures as he thinks fit.

### 24. MAGAZINES

(1) A person may apply to the Chief Inspector for approval to -

- (a) keep a magazine on a government explosives reserve; or
- (b) store explosives in a government explosives magazine.

(2) An application under sub-section (1) shall be accompanied by the prescribed fee.

### 25. GRANT OF APPROVAL TO STORE EXPLOSIVES

The Chief Inspector shall consider an application made under section 24 and may, in his discretion, grant approval, either conditionally or unconditionally, or refuse to grant approval.

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26. TERMS OF APPROVAL TO BE OBSERVED

A person who is keeping a magazine on a government explosives reserve or storing explosives in a government explosives magazine pursuant to approval granted under section 25 shall comply with and not contravene the terms and conditions of that approval.

Penalty: \$5,000.

Division 3 - Dumps

27. ESTABLISHMENT OF DUMPS

The Minister may, by notice in the Gazette, declare any land to be a dump.

28. DIRECTIONS AS TO DUMPING

The Chief Inspector may give directions as to -

(a) the dangerous goods which may be abandoned; and

(b) the manner in which dangerous goods may be abandoned,

in a dump.

29. DUMPING DANGEROUS GOODS

(1) A person shall not abandon any dangerous goods -

(a) in a place which is not a dump; or

(b) in contravention of the Regulations and the directions, if any, of the Chief Inspector given under section 28.

Penalty: \$5,000.

(2) It is a defence to a prosecution for an offence against subsection (1)(a) that the quantity of dangerous goods abandoned did not exceed the prescribed quantity.

Division 4 - Trespassers on Reserves, &c.

30. OFFENCES IN RESPECT OF RESERVES AND MAGAZINES

A person shall not enter or remain without lawful authority in a government explosives reserve, a government magazine, any premises specified in a licence to store or manufacture dangerous goods or any vehicle or ship conveying dangerous goods.

Penalty: \$5,000.

## Dangerous Goods

### 31. SAFETY IN RESERVES AND MAGAZINES

A person on a government explosives reserve, a government magazine, a place specified in a licence to store or manufacture dangerous goods or a vehicle or ship conveying dangerous goods shall not do any act which would tend to cause an explosion or fire in or about the reserve, magazine, place, vehicle or ship.

Penalty: \$5,000.

### 32. ARREST WITHOUT WARRANT

An inspector, a member of the Police Force, or the owner, occupier, driver or person in charge of any premises, ship or vehicle referred to in section 30 or 31, or a person authorized by any of those persons, may arrest without warrant any person found committing an offence against section 30 or 31 in respect of the premises, ship or vehicle.

## Division 5 - Licences

### 33. APPLICATIONS

(1) A person may apply to the Chief Inspector for a licence.

(2) An application under sub-section (1) shall be accompanied by the prescribed fee.

### 34. FALSE OR MISLEADING APPLICATIONS

A person who makes an application under section 33 shall not, in that application, make a statement that is false or misleading in a material particular.

Penalty: \$2,000.

### 35. DETERMINATION OF APPLICATION

(1) Subject to this Act and the Regulations, the Chief Inspector shall consider an application made under section 33 and may determine it by -

(a) granting, either conditionally or unconditionally, the licence;  
or

(b) refusing to grant the licence.

(2) A licence shall not be granted to a person who has not attained the age of 18 years.

### 36. FORM OF LICENCE

A licence shall, if it relates to the storage of dangerous goods, specify the place where the dangerous goods are to be stored.

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### 37. CANCELLATION OR SUSPENSION OF LICENCE

The Chief Inspector may, by instrument in writing served on a licensee -

- (a) cancel; or
- (b) suspend for a period specified in the instrument,

a licence if -

- (c) the licensee has been convicted of an offence against this Act;
- (d) the licensee has failed to comply with the written directions of an inspector; or
- (e) the Chief Inspector is of the opinion that, in the interests of any person, the licence should be cancelled or suspended.

### 38. APPEAL

An applicant or licensee who is dissatisfied with a decision of the Chief Inspector under this Division may appeal to the Minister.

### 39. POWERS OF MINISTER ON APPEAL

The Minister may determine an appeal under section 38 by -

- (a) confirming the decision of the Chief Inspector;
- (b) varying the decision of the Chief Inspector;
- (c) refusing to confirm the decision of the Chief Inspector and substituting his own decision; or
- (d) revoking the decision of the Chief Inspector.

## PART IV - MISCELLANEOUS

### 40. OFFENCES PUNISHABLE SUMMARILY

An offence against this Act is punishable on summary conviction.

### 41. CONSENT TO PROSECUTIONS

A person shall not institute proceedings for the summary conviction of a person in respect of an offence against this Act without the written consent of the Chief Inspector.



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### 42. TIME LIMITS

Proceedings for the conviction of a person in respect of an offence against this Act or the Regulations shall not be instituted after 12 months from the date of the alleged offence or the discovery of the alleged offence, whichever is the later.

### 43. AVERMENTS

In any proceedings in respect of an alleged offence against this Act or the Regulations, the averment in the information or complaint that -

- (a) a specified person is the Chief Inspector or an inspector;
- (b) a specified person was or was not on a specified day the holder of a licence;
- (c) a specified licence contained specified conditions;
- (d) a specified substance or thing was, at a specified time, dangerous goods;
- (e) a specified container did, on a specified day, contain dangerous goods; or
- (f) specified dangerous goods are dangerous goods of a specified class or kind,

is evidence of the fact so alleged.

### 44. EMPLOYERS

(1) The employer of a person who commits an offence against this Act is also guilty of that offence and proceedings against him may be instituted notwithstanding that the employee has not been charged with the offence.

(2) Where an employee of a person is convicted of an offence against this Act, the employer of that person is guilty of a like offence and liable to a like penalty.

(3) It is a defence to a prosecution for an offence referred to in this section that the person charged -

- (a) did not authorize or permit the commission of the offence by the employee; and
- (b) used all due diligence to prevent the commission of the offence.

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### 45. REPEATED OFFENCES

Where a person is convicted of the same offence against this Act on 3 or more occasions, the court convicting the person on the third or on any subsequent occasion may, in addition to any other penalty for that offence specified in this Act, impose a penalty of imprisonment for a term not exceeding 6 months.

### 46. FORFEITURE, &c., OF DANGEROUS GOODS

Where a person is convicted of an offence against this Act, the court may order -

- (a) the dangerous goods in respect of which the offence was committed to be forfeited to the Territory; and
- (b) the person convicted to pay to the Territory the costs and expenses incurred in the seizure, detention and removal of the dangerous goods or the package, vehicle or ship, as the case may be, in which the dangerous goods were contained or kept when seized, detained or removed.

### 47. DISPOSAL OF FORFEITED GOODS

(1) The Minister may dispose of, destroy or render harmless or otherwise deal with dangerous goods forfeited to the Territory under section 46 in such manner as he thinks fit.

(2) The cost of disposal, destroying or rendering harmless of dangerous goods under sub-section (1) is a debt due to the Territory.

(3) A certificate purporting to be signed by the Chief Inspector specifying the cost of disposal, destroying or rendering harmless of specified dangerous goods under sub-section (1) is evidence of that cost.

### 48. PROTECTION OF OFFICERS

An act done or omitted to be done by an inspector in good faith in the exercise, or purported exercise, of a power conferred or a duty imposed by this Act does not render the Territory, or the inspector personally, liable with respect to that act or omission.

### 49. SERVICE

A notice under this Act or the Regulations may be served personally or by post.

### 50. VARIATION OF REGULATION REQUIREMENTS

- (1) Where the Chief Inspector is satisfied that -

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- (a) compliance with the provisions of the Regulations in relation to the handling of dangerous goods may not, in all the circumstances, be reasonably practicable; and
- (b) a modification or variation of those provisions would not adversely affect the safety, health or welfare of the persons concerned,

the Chief Inspector may, by notice in writing to the occupier of the land on which dangerous goods are or to the owner of dangerous goods, modify or vary the provisions of the Regulations in the manner set out in the notice and while any such notice remains in force, compliance with those provisions as so modified or varied shall, for the purposes of this Act, be deemed to be compliance with the provisions of the Regulations.

(2) The Chief Inspector may, in his absolute discretion, revoke any notice under sub-section (1) and upon that revocation that notice shall cease to have any further force or effect.

### 51. REGULATIONS

(1) The Administrator may make Regulations, not inconsistent with this Act, prescribing all matters required or permitted by this Act to be prescribed, or necessary or convenient to be prescribed, for carrying out or giving effect to this Act.

(2) Without limiting the generality of sub-section (1), the Regulations may make provision for or with respect to -

- (a) the sale, handling, disposal, destruction or rendering harmless of dangerous goods and containers which are used in connection with dangerous goods, including the precautions to be observed and the methods to be employed therein;
- (b) the qualifications of persons handling dangerous goods, and the registration, certification and licensing of those persons;
- (c) the design, construction, cleanliness, ventilation, venting, marking and maintenance of vehicles, ships, containers, pipelines and any other equipment or things which are used or are intended for use in connection with dangerous goods;
- (d) the siting, design, construction, ventilation, venting, illumination, fittings, fixtures and management of premises which are or are intended for use in connection with dangerous goods and the treatment of premises no longer required for the handling of dangerous goods;
- (e) the provision, maintenance, testing and use of safety and first aid facilities in licensed premises and in vehicles, ships or aircraft used for carrying dangerous goods;

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- (f) the inspection, examination and testing of dangerous goods and equipment which is or is intended to be used in connection with dangerous goods and the fees payable in connection therewith;
  - (g) the driving of vehicles, and the navigation and mooring of ships, conveying dangerous goods;
  - (h) the making, keeping, production and inspection of records relating to dangerous goods and the furnishing of returns and other information relating to dangerous goods;
  - (j) the notice to be given of theft from or accidents by explosion or fire at licensed premises or during the handling of dangerous goods;
  - (k) the holding of inquiries into accidents referred to in paragraph (j);
  - (m) the management of and use of magazines and government explosives reserves, including the fees payable in respect thereof;
  - (n) the sale and use of dangerous goods;
  - (p) the conditions subject to which licences may be granted; and
  - (q) the forms to be used.
- (3) The Regulations may impose monetary penalties, not exceeding \$5,000, for offences against the Regulations.

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## SCHEDULE

Section 3

### REPEALED ORDINANCES AND ACTS

Explosives Ordinance 1964 (No. 66 of 1964)

Explosives Ordinance 1968 (No. 4 of 1968)

Explosives Ordinance 1972 (No. 33 of 1972)

Explosives Ordinance 1975 (No. 10 of 1975)

Explosives Ordinance (No. 2) 1975 (No. 30 of 1975)

Explosives Act 1978 (No. 128 of 1978)

Explosives Act 1979 (No. 39 of 1979)

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