

NORTHERN TERRITORY OF AUSTRALIA

WORK HEALTH AND SAFETY (NATIONAL UNIFORM LEGISLATION) CONSEQUENTIAL AMENDMENTS REGULATIONS 2011

Subordinate Legislation No. 60 of 2011

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 60 of 2011*

Work Health and Safety (National Uniform Legislation) Consequential Amendments Regulations 2011

I, Trevor John Riley, Acting Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the following Acts:

Dangerous Goods Act;

Workers Rehabilitation and Compensation Act.

Dated 30 December 2011

T. J. RILEY
Acting Administrator

By His Honour's Command

C. B. BURNS
Minister for Education and Training
acting for
Minister for Justice and Attorney-General

* Notified in the *Northern Territory Government Gazette* on 30 December 2011.

Part 1 Preliminary matters

1 Citation

These Regulations may be cited as the *Work Health and Safety (National Uniform Legislation) Consequential Amendments Regulations 2011*.

2 Commencement

These regulations commence on 1 January 2012.

3 Expiry of Regulations

These Regulations expire on the day after they commence.

Part 2 Amendment of Dangerous Goods Regulations

4 Regulations amended

This Part amend the *Dangerous Goods Regulations*.

5 Regulation 2 amended

- (1) Regulation 2(1), definitions ***above-ground depot***, ***Australian Code***, ***Class C combustible liquids***, ***Class D combustible liquids***, ***combustible liquids***, ***cryogenic liquid***, ***cylinder***, ***demountable tank***, ***Director of Fire Services***, ***flammable gas***, ***flammable liquids***, ***freight container***, ***fuel dispensing unit***, ***gas-free***, ***in bulk***, ***laboratory***, ***licensed depot***, ***liquefied gas***, ***MSC***, ***occupier***, ***packaging***, ***poisonous gas***, ***pump***, ***refillable container***, ***road tank vehicle***, ***screen wall***, ***subsidiary risk***, ***tank*** and ***underground depot***

omit

- (2) Regulation 2(1)

insert (in alphabetical order)

ADG Code, see regulation 4 of the *Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Regulations*.

approved form, for a matter, means the form approved by the Competent Authority for that matter.

compatibility group, for an explosive, means the compatibility group for the explosive under the ADG Code.

combustible liquid means a combustible liquid as defined in AS 1940 "The storage and handling of flammable and combustible liquids".

Director of the Fire and Rescue Service means the Director as defined in section 3(1) of the *Fire and Emergency Act*.

flammable liquid means a flammable liquid as defined in AS 1940 "The storage and handling of flammable and combustible liquids".

packaging means any device that is designed to contain goods, but does not include the following as defined in the *Transport of Dangerous Goods by Road and Rail (National Uniform Legislation) Regulations*:

- (a) a tank;
- (b) a tank vehicle that is a road vehicle;
- (c) a demountable tank;
- (d) a freight container.

- (3) Regulation 2(1), definitions **depot** and **process building**

omit

dangerous goods

insert

explosives

- (4) Regulation 2(1), definition **explosives**

omit

class

insert

Class

- (5) Regulation 2(2)

omit

the Standards Association of Australia

insert

Standards Australia

- (6) Regulation 2(5)(a)

omit

shall

insert

must

- (7) Regulation 2(8)(c), (f) and (g)

omit

- (8) Regulation 2(8)(d)

omit (all references)

dangerous goods

insert

explosives

- (9) Regulation 2(8)(d)

omit

premises;

insert

premises.

- (10) Regulation 2(9)(a)

omit

away

insert

away

- (11) Regulation 2(9)(b)

omit

separated

insert

separated

- (12) Regulation 2(9)(c)

omit

- (13) Regulation 2(9)(d)

omit (first reference)

in immediate use

insert

in immediate use

- (14) Regulation 2(9)(e)

omit

manufactured for immediate use

insert

manufactured for immediate use

- (15) Regulation 2(10) to (13)

omit, insert

- (10) A reference in these Regulations to a **Class** of dangerous goods is a reference the UN Class of those goods ascertained in accordance with the ADG Code.

6 Regulations 5 and 5A repealed

Regulations 5 and 5A

repeal

7 Regulation 5C amended

- (1) Regulation 5C, heading

omit

dangerous goods

insert

explosives

- (2) Regulation 5C(1)

omit

(1)

- (3) Regulation 5C(1)

omit (all references)

dangerous goods

insert

explosives

- (4) Regulation 5C(2) to (4)

omit

8 Regulation 5F amended

Regulation 5F(2)

omit, insert

- (2) An application under subregulation (1) must:

(a) be made in the approved form; and

(b) be accompanied by:

(i) any information required by the approved form; and

(ii) the prescribed fee.

9 Regulations 6 and 8 to 11 repealed

Regulations 6 and 8 to 11

*repeal***10 Regulation 17 amended**

(1) Regulation 17(1)

omit

(1)

(2) Regulation 17(1)

omit

dangerous goods

insert

explosives

(3) Regulation 17(2)

*omit***11 Regulations 18 to 20, 28 and 29 and Part I, Divisions 5 to 8 repealed**

Regulations 18 to 20, 28 and 29 and Part I, Divisions 5 to 8

*repeal***12 Regulation 87 amended**

(1) Regulation 87(1)

omit

(2) Regulation 87(2)

omit

(2)

13 Regulation 89 amended

(1) Regulation 89(1)

omit

(2) Regulation 89(2)(b)

omit

sections 3.2.6 and 3.2.7 of the Australian Code for the class

insert

the ADG Code for the Class

(3) Regulation 89(2)(c)(ii)

omit

United Nations identification number

insert

UN Number

(4) After regulation 89(2)

insert

(3) In this regulation:

UN Number means the UN Number as defined in the Australian Code for the Transport of Explosives by Road and Rail, third edition, approved by the Workplace Relations Minister's Council, as amended from time to time.

14 Part II, Divisions 8B and 9 to 11 and Part III repealed

Part II, Divisions 8B and 9 to 11 and Part III

repealed

15 Regulation 177 amended

(1) Regulation 177(1)(b)

omit, insert

(b) AS 5601 "Gas installations – General installations".

(2) Regulation 177(2)

omit, insert

- (2) The installation, operation and maintenance of gas mains shall conform to the requirements specified AS 4645 "Gas distribution networks – Network management".

16 Regulation 184, Part IV, Division 4, regulation 208, Part V and regulation 220 repealed

Regulation 184, Part IV, Division 4, regulation 208, Part V and regulation 220

*repeal***17 Part VII inserted**

After regulation 223

insert

Part VII **Transitional provisions for Work Health and Safety (National Uniform Legislation) Consequential Amendments Regulations 2011**

224 Continuation for mining operations

- (1) While this regulation is in force, these Regulations continue to have effect in relation to mining operations (as defined in section 33 of the Implementation Act) as if Part 2 of the Consequential Amendments Regulations had not commenced.
- (2) This regulation expires on the expiry of section 33 of the Implementation Act.
- (3) In this regulation:

Consequential Amendments Regulations means the *Work Health and Safety (National Uniform Legislation) Consequential Amendments Regulations 2011*.

Implementation Act means the *Work Health and Safety (National Uniform Legislation) Implementation Act 2011*.

18 Schedule 1 replaced

Schedule 1

*repeal, insert***Schedule 1 Standards**

regulation 2(4)

Standard number	Description of standard
AS 1076	Code of practice for selection, installation and maintenance of electrical apparatus and associated equipment for use in explosive atmospheres (other than mining applications)
AS 1425-2007	LP gas fuel systems for vehicle engines
AS 1596-2008	The storage and handling of liquefied petroleum gases
AS 1744-1975	Forms of letters and numerals for road signs (known as SAA Standard Alphabets for Road Signs)
AS 1940-2004	The storage and handling of flammable and combustible liquids
AS 2187	Explosives – Storage, transport and use
AS 2187.0-1998	Explosives – Storage, transport and use – Terminology
AS 2187.1-1998	Explosives – Storage, transport and use – Storage
AS 2187.1-1998/Amdt 1-2000	Explosives – Storage, transport and use – Storage
AS 2187.2-2006	Explosives – Storage and use – Use of explosives
AS 2187.3-1999	Explosives – Storage, transport and use – Pyrotechnics – Shopgoods fireworks – Design, performance and testing
AS 2187.4-1998	Explosives – Storage, transport and use – Pyrotechnics – Outdoor displays

AS 2658-2008	LP Gas – Portable and mobile appliances.
AS 4645-2008	Gas distribution networks – Network management
AS 5601-2010	Gas installations – General installations

19 Schedule 2 amended

- (1) Schedule 2, item 1(a)
omit
dangerous goods
insert
explosives
- (2) Schedule 2, item 1(a)(i) and (ii)
omit
class
insert
Class
- (3) Schedule 2, item 1(b) and (d)(ii), 4 and 5
omit

20 Regulations further amended

The Schedule has effect.

Part 3 Amendment of Workers Rehabilitation and Compensation Regulations**21 Regulations amended**

This Part amends the *Workers Rehabilitation and Compensation Regulations*.

22 Regulation 5A inserted

After regulation 5

insert

5A Inspectors' identity cards

For section 7B(1) of the Act, an identity card given to an inspector must include the following:

- (a) a recent photograph of the inspector of the size, and in the form, specified by the Authority;
- (b) the inspector's signature;
- (c) the date (if any) on which the inspector's appointment ends;
- (d) any conditions to which the inspector's appointment is subject.

Schedule Dangerous Goods Regulations further amended

regulation 20

Provision	Amendment	
	<i>omit</i>	<i>insert</i>
regulations 3, 4, 5B, 5D, 16 and 24, heading	dangerous goods	explosives
regulations 3(1), 4(1) and (2), 5B(1) and (2), 5D(1), 7(b)(ii), 13, 14(1), (2) and (4), 15, 16, 24 and 221(1), (2)(b), (4) and (5)	dangerous goods (<i>all references</i>)	explosives
regulation 4(3)	, 144, 208 or 210	
regulation 15, heading	Dangerous goods	Explosives
regulation 70(1), definition keeper	whole definition	
regulation 77(a)(ii)	sections 3.2.6 and 3.2.7 of the Australian Code	the ADG Code
regulations 77(d)(iv), 92(6)(m), 141(4)(b) and 142(d)	Director of Fire Services	Director of the Fire and Rescue Service
regulation 81(2)	regulation 3(1)	regulation 3(2)
regulations 84(1) and 131(1)	dangerous goods	
regulation 84(2)	in accordance with regulation 5C	
regulation 88(1)	class	Class
regulation 91(1)	the purposes of regulation 4(1)	regulation 4(3)
	that subregulation	regulation 4(1)

regulation 130(1)	the purposes of regulation 5B(1)	regulation 5B(3)
	that subregulation	regulation 5B(1)
regulation 137(1)(d)	Use of explosives	Explosives – Storage, transport and use
regulation 170(1), definition burner	whole definition	
regulation 189(2)(b)	Liquefied petroleum (LP) gas	LP Gas
regulation 205(c)(i)	L.P.	LP
