

## TASMANIA

---

# **DANGEROUS GOODS (ROAD AND RAIL TRANSPORT) AMENDMENT REGULATIONS 2019**

## **STATUTORY RULES 2019, No. 24**

---

### **CONTENTS**

1. Short title
2. Commencement
3. Principal Regulations
4. Regulation 7 amended (Further exemptions)
5. Regulation 9 amended (Definitions)
6. Regulation 17 amended (Dangerous goods packed in limited quantities)
7. Regulation 25 amended (Determinations – dangerous goods and packaging)
8. Regulation 37 amended (Subsidiary hazard)
9. Regulation 77 amended (Meaning of appropriately marked)
10. Regulation 92 amended
11. Regulation 93 amended (Consignor's duties)
12. Regulation 94 amended (Loader's duties)
13. Regulation 95 amended (Prime contractor's and rail operator's duties)
14. Regulation 96 amended (Driver's duties)
15. Regulation 105 amended (Application of Part)

16. Regulation 147 amended (Control of ignition sources)

**DANGEROUS GOODS (ROAD AND RAIL  
TRANSPORT) AMENDMENT REGULATIONS 2019**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Dangerous Goods (Road and Rail Transport) Act 2010*.

Dated 29 April 2019.

C. WARNER  
Governor

By Her Excellency's Command,

S COURTNEY  
Minister for Building and Construction

**1. Short title**

These regulations may be cited as the *Dangerous Goods (Road and Rail Transport) Amendment Regulations 2019*.

**2. Commencement**

These regulations take effect on the day on which their making is notified in the *Gazette*.

*Dangerous Goods (Road and Rail Transport) Amendment  
Regulations 2019  
Statutory Rules 2019, No. 24*

r. 3

---

**3. Principal Regulations**

In these regulations, the *Dangerous Goods (Road and Rail Transport) Regulations 2010*\* are referred to as the Principal Regulations.

**4. Regulation 7 amended (Further exemptions)**

Regulation 7(2)(a) of the Principal Regulations is amended by omitting “less” and substituting “not more”.

**5. Regulation 9 amended (Definitions)**

Regulation 9(1) of the Principal Regulations is amended by omitting the definition of *subsidiary risk* and substituting the following definition:

*subsidiary hazard* has the meaning given by regulation 37;

**6. Regulation 17 amended (Dangerous goods packed in limited quantities)**

Regulation 17(b) of the Principal Regulations is amended by omitting “7” and substituting “7a”.

---

\*S.R. 2010, No. 125

*Dangerous Goods (Road and Rail Transport) Amendment  
Regulations 2019  
Statutory Rules 2019, No. 24*

r. 7

---

**7. Regulation 25 amended (Determinations – dangerous goods and packaging)**

Regulation 25(1)(c) of the Principal Regulations is amended by omitting “risk” and substituting “hazard”.

**8. Regulation 37 amended (Subsidiary hazard)**

Regulation 37 of the Principal Regulations is amended as follows:

- (a) by omitting “risk” first occurring and substituting “hazard”;
- (b) by omitting from paragraph (a) “risk” twice occurring and substituting “hazard”;
- (c) by omitting from paragraph (b) “risk” and substituting “hazard”.

**9. Regulation 77 amended (Meaning of appropriately marked)**

Regulation 77 of the Principal Regulations is amended by inserting after subregulation (4) the following subregulations:

- (5) A package of dangerous goods that are packed in excepted quantities is also appropriately marked if it is marked and labelled in accordance with Chapter 3.5 of the ADG Code.

*Dangerous Goods (Road and Rail Transport) Amendment  
Regulations 2019  
Statutory Rules 2019, No. 24*

r. 10

---

- (6) In subregulation (5), dangerous goods are packed in excepted quantities if –
  - (a) the goods are assigned to code E1, E2, E3, E4 or E5 in column 7b of the Dangerous Goods List; and
  - (b) the goods are packed in accordance with Chapter 3.5 of the ADG Code; and
  - (c) the quantity of dangerous goods does not exceed the quantity specified in section 3.5.1.2 of the ADG Code.

**10. Regulation 92 amended**

Regulation 92 of the Principal Regulations is amended as follows:

- (a) by renumbering the text of the section as subsection (1);
- (b) by omitting from paragraph (e) “Risk” and substituting “Hazard”;
- (c) by inserting the following subregulations after subregulation (1):
  - (2) This Division also applies to the transport of empty dangerous goods packaging, and a reference in this Division to “dangerous goods to which this Division

*Dangerous Goods (Road and Rail Transport) Amendment  
Regulations 2019  
Statutory Rules 2019, No. 24*

r. 11

---

applies” includes a reference to empty dangerous goods packaging.

(3) In subregulation (2) –

*empty dangerous goods  
packaging* means –

- (a) unused pre-labelled packaging intended for use with dangerous goods; and
- (b) packaging that has been used for dangerous goods and is nominally empty.

**11. Regulation 93 amended (Consignor’s duties)**

Regulation 93 of the Principal Regulations is amended by inserting “or 7.2” after “1”.

**12. Regulation 94 amended (Loader’s duties)**

Regulation 94 of the Principal Regulations is amended by inserting “or 7.2” after “1”.

**13. Regulation 95 amended (Prime contractor’s and rail operator’s duties)**

Regulation 95(1) of the Principal Regulations is amended by inserting “or 7.2” after “1”.

*Dangerous Goods (Road and Rail Transport) Amendment  
Regulations 2019  
Statutory Rules 2019, No. 24*

r. 14

---

**14. Regulation 96 amended (Driver’s duties)**

Regulation 96 of the Principal Regulations is amended as follows:

- (a) by omitting “dangerous” second occurring;
- (b) by inserting “or 7.2” after “1”.

**15. Regulation 105 amended (Application of Part)**

Regulation 105(1)(b) of the Principal Regulations is amended by omitting “risk” and substituting “hazard”.

**16. Regulation 147 amended (Control of ignition sources)**

Regulation 147(1)(b) of the Principal Regulations is amended by omitting “risk” and substituting “hazard”.

*Dangerous Goods (Road and Rail Transport) Amendment  
Regulations 2019  
Statutory Rules 2019, No. 24*

---

Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 8 May 2019.

These regulations are administered in the Department of Justice.

**EXPLANATORY NOTE**

*(This note is not part of the regulations)*

These regulations amend the *Dangerous Goods (Road and Rail Transport) Regulations 2010* to reflect changes made to the National Transport Commission's Model Subordinate Instrument on the Transport of Dangerous Goods by Road or Rail.