

1992—No. 559

DANGEROUS GOODS ACT 1975—REGULATION

(Relating to references to publications)

NEW SOUTH WALES



[Published in Gazette No. 125 of 16 October 1992]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Dangerous Goods Act 1975, has been pleased to make the Regulation set forth hereunder.

J. P. HANNAFORD,
Attorney General and Minister for Industrial Relations.

Commencement

1. This Regulation commences on 1st November, 1992.

Amendment of Dangerous Goods Regulation 1978

2. The Dangerous Goods Regulation 1978 is amended:
 - (a) by omitting from the definition of “Australian Code” in clause 4 (1) the words “as published in the Commonwealth of Australia Gazette No. P15 of 7 April 1987” and by inserting instead the words “published by the Australian Government”;
 - (b) by omitting clause 4 (2) and by inserting instead the following subclauses:
 - (2) A reference in this Regulation to the abbreviation “AS” followed by a group of numerals or letters, or numerals and letters, is a reference to the Australian Standard, indicated by that group, recommended or adopted by Standards Australia.
 - (2A) A reference in this Regulation to a publication is a reference to the publication as in force from time to time.

- (c) by omitting from clause 17 (1) (e) the words “and published in 1983 at New York by the United Nations, together with all additions and amendments thereto, if any, so published before the date on and from which that provision took effect” and by inserting instead the words “published by the United Nations”;
- (d) by omitting clause 224 (b) and by inserting instead the following paragraph:
 - (b) operate a pump to convey dangerous goods of Class 2 unless the pump conforms to:
 - (i) section 5.1.5 of the specification DG 2001-1978, entitled “Code for Uninsulated Road Tank Vehicles for Liquefied Gases” (published by the Workcover Authority); or
 - (ii) AS 2090 entitled “Uninsulated Road Tank Vehicles for Compressed Liquefiable Gases”; or
 - (iii) an approved specification.
- (e) by omitting from clause 283 the words “, issued in 1973 by the Department of Mines, as approved by the Minister and published in Gazette No. 132 of 4th November 1977” and by inserting instead the words “(published by the WorkCover Authority)”;
- (f) by omitting from the matter relating to “AS 1375” in clause 293A (1) the words “(exclusive of any amendments)”;
- (g) by omitting from the matter relating to “AS 1690” in clause 293A (1) the words “(exclusive of any amendments)”;
- (h) by omitting from the matter relating to “AS 1691” in clause 293A (1) the words “(inclusive of Amendment No. 1 published on 6 September 1985)”;
- (i) by omitting from clause 297 (2) the words “Inter-Governmental Maritime Consultative Organisation and as in force at the date of commencement of this clause” and by inserting instead the words “International Maritime Organisation”.

Amendment of Dangerous Goods (Gas Installations) Regulation 1982

3. The Dangerous Goods (Gas Installations) Regulation 1982 is amended:

- (a) by omitting from the definition of “AS 1425” in clause 4 (1) the words “the Standards Association of Australia, as in force on 1st January 1983” and by inserting instead the words “Standards Australia”;

- (b) by omitting from the definition of “AS 1596” in clause 4 (1) the words “the Standards Association of Australia, as in force on 1st January 1983” and by inserting instead the words “Standards Australia”;
- (c) by omitting from the definition of “Distribution Code” in clause 4 (1) the words “, as in force on 1st January 1983”;
- (d) by omitting from the definition of “Installation Code” in clause 4 (1) the words “dated January 1984 and published by the Australian Liquefied Petroleum Gas Association Ltd. (exclusive of any amendments)” and by inserting instead the words “published by the Australian Liquefied Petroleum Gas Association Ltd.”;
- (e) by omitting from the definition of “Railways Code” in clause 4 (1) the words “, as in force on 1st January 1983”;
- (f) by inserting after clause 4 (1) the following subclause:
 - (1A) A reference in this Regulation to a publication is a reference to the publication as in force from time to time.
- (g) by omitting from clause 16 (1) (a) the words “Motor Traffic Act” and by inserting instead the words “Traffic Act”;
- (h) by omitting from clause 23 (1) the words “Motor Traffic Act” and by inserting instead the words “Traffic Act”;
- (i) by omitting from clause 23 (1) (c) the words “Commissioner for Motor Transport” and by inserting instead the words “Roads and Traffic Authority”.

EXPLANATORY NOTE

The Dangerous Goods Act 1975 (section 41) was recently amended (17.12.1991) to enable regulations to be made under that Act which adopt publications (for example, national safety standards) as in force from time to time rather than in force on a particular day (as was previously the case).

The object of this Regulation is to amend the Dangerous Goods Regulation 1978 and the Dangerous Goods (Gas Installations) Regulation 1982 as a consequence of this amendment. Accordingly, references to publications have been amended by deleting the dates of the publications and a provision has been included which provides that a reference to a publication is to be read as a reference to the publication as in force from time to time.

Minor amendments are also made to the Dangerous Goods (Gas Installations) Regulation 1982 by clause 3 (g)–(i) which update references to the Traffic Act 1909 and the Roads and Traffic Authority.
