

1995 — No. 313

DANGEROUS GOODS ACT 1975—REGULATION

(Amendments consequent on the dissolution of the Maritime Services Board)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Dangerous Goods Act 1975 and the Ports Corporatisation and Waterways Management Act 1995, has been pleased to make the Regulation set forth hereunder.

P. C. Scully
Minister for Ports.

Commencement

1. This Regulation is taken to have commenced on 1 July 1995.

Amendments

2. The Dangerous Goods Regulation 1978 is amended:

- (a) by omitting the definitions of “appointed officer” and “Board” from clause 295 (1);
- (b) by omitting the definition of “Harbour Master” from clause 295 (1) and by inserting instead the following definition:

“**Harbour Master**” has the same meaning it has in the Ports Corporatisation and Waterways Management Act 1995;

- (c) by inserting in clause 295 (1) in alphabetical order the following definitions:

“**Minister**” means the Minister administering the Ports Corporatisation and Waterways Management Act 1995;

“**officer of the Minister**” means any delegate of the Minister or any officer of such a delegate;

- (d) by omitting from Part 11 the word “Board” wherever occurring (except where amended elsewhere in this Regulation) and by inserting instead the word “Minister”;
- (e) by omitting from Part 11 the words “appointed officer” wherever occurring (except where amended elsewhere in this Regulation) and by inserting instead the words “officer of the Minister”;
- (f) by omitting from clauses 298 and 299 the words “its approval” wherever occurring and by inserting instead the words “his or her approval”;
- (g) by omitting from clause 368 (4) the words “as it deems” and by inserting instead the words “as the Minister deems”;
- (h) by inserting at the end of Part 11 the following Division:

Division 7—General

Dissolution of Maritime Service Board—savings and transitional

372A. Anything done by the Maritime Services Board or by an officer of the Board (including an appointed officer) under a provision of this Regulation before the dissolution of the Board by the Ports Corporatisation and Waterways Management Act 1995 that had any force or effect immediately before that dissolution is taken to have been done by the Minister or by an officer of the Minister, as the case requires.

EXPLANATORY NOTE

The object of this Regulation is to amend the Dangerous Goods Regulation 1978 consequent on the dissolution of the Maritime Services Board on 1 July 1995 (by the Ports Corporatisation and Waterways Management Act 1995). The functions of the Board have largely been taken over by the Minister for Ports. Accordingly, this Regulation replaces references to the Board with references to the Minister and makes other provisions of a savings and transitional nature.

This Regulation is made under the Dangerous Goods Act 1975, including section 41 (the general regulation making power). Clause 1 of this Regulation (which provides that the Regulation is taken to have commenced on 1 July 1995) is made under the authority conferred by Part 1 of Schedule 5 to the Ports Corporatisation and Waterways Management Act 1995.
