

Dangerous Goods Safety Act 2004

Dangerous Goods Safety (Explosives) Amendment Regulations 2022

SL 2022/122

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Dangerous Goods Safety (Explosives) Amendment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 1 July 2022.

3. Regulations amended

These regulations amend the *Dangerous Goods Safety (Explosives) Regulations 2007*.

4. Regulation 149 amended

After regulation 149(1)(b)(iii) insert:

- (iv) if an explosives management plan for the purposes of the applicant’s fireworks contractor licence is not provided to the Chief Officer within the period of 5 years ending on the day on which the application is made — an explosives management plan that complies with the requirements set out in regulation 164(2)(f)(i) to (iii);

Note: The heading to amended regulation 149 is to read:

Application for fireworks event permit

5. Regulation 162 amended

In regulation 162(1):

- (a) delete “applicant —” and insert:

applicant to do 1 or more of the following —

- (b) in paragraph (d) delete “is inadequate;” and insert:

does not comply with the requirements set out in regulation 164(2)(f)(i) to (iii);

6. Regulation 173 amended

Delete regulation 173(3)(g).

Note: The heading to amended regulation 173 is to read:

Procedure for renewing licences

7. Regulation 192 amended

In regulation 192(a) delete “regulation 161 that relates to a licence referred to in regulation 157(7);” and insert:

regulation 161;

8. Regulation 194 amended

(1) Delete regulation 194(1) and insert:

(1) In this regulation —

relevant licence means —

- (a) an explosives manufacture licence; or
- (b) an explosives manufacture (MPU) licence; or
- (c) an explosives storage licence; or
- (d) an explosives transport licence; or
- (e) a fireworks contractor licence.

(2) In regulation 194(2):

(a) delete “a licence” and insert:

a relevant licence

(b) delete “that relates to” and insert:

for the purposes of

(3) In regulation 194(3):

(a) delete “a licence,” and insert:

a relevant licence,

(b) delete “that relates to” and insert:

for the purposes of

(4) In regulation 194(3) in the Penalty delete “Penalty:” and insert:

Penalty for this subregulation:

(5) In regulation 194(4):

(a) delete “a licence” and insert:

a relevant licence

(b) delete “that relates to” and insert:

for the purposes of

(6) In regulation 194(4) in the Penalty delete “Penalty:” and insert:

Penalty for this subregulation:

(7) Delete regulation 194(5) and insert:

(5) Subregulation (6) applies if a person works at a place —

(a) to which an explosives manufacture licence or explosives storage licence relates; or

(b) where the loading or unloading of explosives in connection with transporting them is carried out in connection with an explosives transport licence.

- (6) The person must comply with the explosives management plan for the purposes of the explosives manufacture licence, explosives storage licence or explosives transport licence.

Penalty for this subregulation: a level 2 fine.

Note: The heading to amended regulation 194 is to read:

Duties in respect of explosives management plan

9. Regulation 197 amended

In regulation 197 in the Table delete “r. 194(5)” and insert:

r. 194(6)

V. MOLAN, Clerk of the Executive Council.