



Dangerous goods safety information sheet

Phase 4 dangerous goods regulation amendments

The following amendments took effect on 5 February 2016.

Issue	Affected regulations	Explanation
Storage and handling regulations		
1	Risk assessment requirements Regulations 4 and 48:	The definition of risk assessment has been changed so a compliance check against applicable approved codes of practice is an acceptable alternative to a first-principles assessment of risk for relevant hazards. Risk assessments are now only required for sites containing at least manifest quantities of dangerous goods. This does not apply to risk assessment requirements for special berth declarations.
2	Rural dangerous goods location definition Regulation 4(e):	The definition of rural dangerous goods location has been amended to cover sites at which dangerous goods used for agricultural, aquacultural, floricultural, horticultural or pastoral purposes are stored or handled but not supplied to others. Farmers wishing to operate depots containing above-manifest levels of dangerous goods for supply to other farmers must obtain a storage licence.
3	Document references Regulation 4 and equivalent regulations in the General, Explosives, SSAN and MHF regulations	Definitions of key reference documents have been updated to the latest versions as follows: <ul style="list-style-type: none">• ADG Code means the Australian Code for the Transport of Dangerous Goods by Road and Rail (also called the Australian Dangerous Goods Code) published by the National Transport Commission, Edition 7.4 (ISBN:978-1-921604-69-0) as in effect on 1 January 2016, including (for avoidance of doubt) its appendices. Web link: ADGC 7.4.• IMDG Code means the IMDG Code, International Maritime Dangerous Goods Code, 2014 Edition, incorporating Amendment 37 - 14 (ISBN: 9789280115970).• UNTC means the Recommendations on the Transport of Dangerous Goods, Manual of Tests and Criteria, sixth revised edition, published by the United Nations (ISBN 978-92-1-139155-8). Web link: UNTC Sixth revised edition.• "AS 2106" has been replaced with "AS/NZS 2106".
4	Spill containment Regulation 51(1)	The wording of the spill containment requirements has been modified to more explicitly require the provision of systems to enable containment and recovery of spilled or leaked dangerous goods.
Explosives regulations		
5	Interstate security clearances Regulation 16(3)	Interstate security clearances are now accepted within WA without any time limitation, even if the person moves permanently to WA.
6	Cancellation of dangerous goods security cards Regulation 21(6)	A dangerous goods security card will now be automatically cancelled if the holder has died.

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7	Secure nominees and test permits Regulation 23 – 25:	It has been clarified that authorisations and associated record keeping requirements for unsupervised or supervised access to explosives apply to both licence and test permit holders.
8	Carrying guns in explosives facilities Regulation 35	Regulation 35, which related to carrying guns in explosives facilities, has been repealed as the issue is adequately addressed by police officer powers or facility security plans.
9	Explosives that may be possessed without a licence Schedule 4	Schedule 4 Clause 5 has been amended to remove reference to ammunition propellant and black powder and to avoid inconsistency with Schedule 6 clause 5.
10	Temporary storage for fireworks events Regulation 89:	Regulations 89(3) and 89(4) have been repealed. Separation distances for temporary fireworks storage facilities must be as set out in section 3.2.4 of AS2187.1-1998 to meet the requirement of regulation 89(6) to store fireworks safely. The maximum time for temporary storage of fireworks near the location of a fireworks event has been set to 48 hours or as approved by the Chief Officer.
11	Regulations 125(3), 129(2)	These transitional provisions have been repealed as they are no longer required.
12	Proof of fireworks operator licence Regulation 157(6)(a)	Regulation 157(6) has been repealed. Individuals applying for a fireworks contractor licence no longer need to submit proof that they hold a fireworks operator licence as DMP will already know this and its licensing database system will validate that automatically as part of the fireworks contractor licence assessment. Fireworks contractors must hold a valid fireworks operator licence (regulation 165A(1)).
13	Suspension of fireworks contractors licences Regulation 157(6)(b)	A body corporate that holds a fireworks contractor licence must have at all times at least one individual who is concerned in the management of, or employed by, the body or partnership that holds a fireworks operator licence (regulation 165A(2)). If this is not the case, the contractor licence is suspended until someone with a fireworks operator licence is employed.
14	Duration of licences Regulation 167(1)	All licences have effect for five years unless they are cancelled.
15	Licences may be issued electronically Regulation 168(1)	This regulation has been amended so that a licence may be in such form as the Chief officer decides (and not just in writing). This allows for licences to be issued electronically.
16	Use of plastic cards for licences Regulation 168(2)	This regulation has been repealed as DMP intends to only issue explosives driver, shotfirer, fireworks operator and pyrotechnics special use licences in the form of plastic cards. Consequential amendments have also been made to regulations 51, 171 and 177 to support this change.
17	Permission for use of state land Regulation 191	This regulation has been repealed. It is unnecessary given that a licence from the Chief Officer is already required to manufacture or store explosives.
18	Automatic mutual recognition of explosives occupational licences	Interstate shotfirer, explosives driver, fireworks operator and pyrotechnician (special use) licences are now automatically recognised in WA but subject to the same restrictions as apply in the jurisdiction where the licence was granted (regulation 182A). Interstate licences may be used in WA until they expire.

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		Such licence holders must also hold a dangerous goods security card or equivalent security clearance from another state or territory (regulation 16).
19	Regulation 194(6)	This regulation has been repealed as it was redundant.
20	Age limits for licences Various regulations	The following age limits apply for different licence types: 18 years: <ul style="list-style-type: none"> • Fireworks operator, pyrotechnician special use and shotfirer licences 21 years: <ul style="list-style-type: none"> • Fireworks contractor and explosives driver licences, and qualified officer for any licence where such a person is required (i.e. explosives trading or SSAN licence). • Anyone applying for an SSAN licence or being a qualified officer for an SSAN licence.
21	WA photo card recognition Regulation 118(3)(a) (and r 28(2)(a) of the SSAN regulations)	A WA Photo card is a valid form of identification for the supply of explosives or SSAN. This regulation amendment replaces the existing determination.
General regulations		
22	Infringement notice form	The form has been changed to allow for electronic payment of infringement penalties.
Security risk substances regulations		
23	Regulations name change	All references to Security Risk Substances (SRS) have been changed to Security Sensitive Ammonium Nitrate (SSAN) to be consistent with the terminology use in most other Australian jurisdictions. This applies to all dangerous goods regulations.
24	Conditions on licences Regulation 34:	Consistent with the explosives regulations and the storage and handling of non-explosives regulations, conditions on licences must be specified in the licence when it is issued.
25	Regulation 50(5)	This regulation has been repealed as it was redundant.