Trade & Transport Alert

Proposed changes to laws for the transport of dangerous goods

WHAT YOU NEED TO KNOW

- The National Transport Commission have released a Consultation Draft of proposed amendments to laws governing the transport of dangerous goods on road and rail, for public consultation.
- The consultation period closes on Monday, 2 September 2013.

WHAT YOU NEED TO DO

- Review the package of proposed amendments and assess any potential impact on your business.
- Make submissions to the NTC as may be needed or desirable by Monday, 2 September 2013.

On 6 August 2013, the National Transport Commission (NTC) released the Consultation Draft of the Model Amendment Regulations Transport of Dangerous Goods by Road and Rail Package No.2 (Consultation Draft). The Consultation Draft is a package of proposed amendments to laws governing transport of dangerous goods on road and rail and has been released for public consultation. The consultation period will close on Monday, 2 September 2013.

Consultation Draft

The changes proposed by the Consultation Draft are to update the law in line with the latest international guidelines, and will include changes to the Australian Dangerous Goods Code 7th Edition (ADG Code). To assist in considering the changes proposed by the Consultation Draft, the NTC have provided an Explanation Paper for the amendments (available here).

Some of the changes proposed in the Consultation Draft include:

- updating markings and labels to be consistent with regulations for air and sea transport;
- improving certainty for business by incorporating approved exemptions into law;
- a clear requirement for prime contractors and drivers to carry transport documents and emergency information so that they are easily locatable in the event of an emergency; and
- introducing the requirement for prepared emergency plans to be followed in an emergency situation.

Importantly, the Consultation Draft applies to all items classified as dangerous goods. This includes a wide range of goods from household goods to fuels and industrial chemicals.

The amendments proposed (available here), were developed in consultation with key industry representatives and the Transport of Dangerous Goods Maintenance Group.

ADG Code

The ADG Code is based on the United Nations (UN) Model Regulations which set out the principal technical standards regulating the transport of dangerous goods. The Consultation Draft proposes changes to bring the ADG Code in line with the latest edition of the UN Model Regulations.

The amendments also address corrections, technical updates and clarifications raised by stakeholders since the introduction of the 7th edition of the ADG Code in 2007.

Next Steps

Following closure of the consultation period on 2 September 2013, the Consultation Draft will then be submitted to the Transport and Infrastructure Senior

Industry participants should review the Consultation Draft and assess any potential impact on their business, with a view to making any submissions to the NTC by Monday, 2 September 2013.

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