

1991—No. 128

**DANGEROUS GOODS ACT 1975—REGULATION**

(Relating to licences and permits in respect of dangerous goods)

NEW SOUTH WALES



*[Published in Gazette No. 45 of 15 March 1991]*

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.

JOHN FAHEY  
Minister for Industrial Relations.

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**Citation**

1. This Regulation may be cited as the Dangerous Goods (Business Licences) Amendment Regulation 1991.

**Commencement**

2. This Regulation commences on 15th day of March 1991.

**Amendment of Dangerous Goods Regulation 1978**

3. The Dangerous Goods Regulation 1978 is amended:

(a) by inserting after clause 4 the following clause:

**Licences administered under the Act**

4A. If a licence is being administered under the Act pursuant to an authorisation under Part 2 of Schedule 2 to the Business Licences Act 1990, then for the purposes of that administration this Regulation is to be construed as if it had not been amended by the Dangerous Goods (Business Licences) Amendment Regulation 1991.

- (b) by omitting clause 6 and by inserting instead the following clause:

**Applications (general)**

6. An application for a permit or for the alteration of the particulars set out in a permit is not duly made unless the requirements of this Division that relate to the application are complied with.

- (c) by omitting clause 7 (2) (a)–(d);
- (d) by omitting clause 7 (2) (i) and by inserting instead the following paragraph:
- (i) a permit to manufacture explosives—Form 30.
- (e) by omitting clause 8;
- (f) by omitting from clause 9 (1) the words “licence or”;
- (g) by omitting clause 9 (2) (a)–(e);
- (h) by omitting from clause 9 (2) (h) the word “and”;
- (i) by inserting after clause 9 (2) (h) the following paragraph:
- (i) a permit to manufacture explosives—Form 31; and
- (j) by omitting from clause 10 (1), (1) (b) and (2) the words “licence or” wherever occurring;
- (k) by omitting from clause 10 (1) (a) the words “licence or for the issue of the”;
- (l) by inserting after clause 10 (2) the following subclause:
- (3) The holder of a licence must, as soon as practicable after any change in the particulars set out in the application for the issue or transfer (or, where there has been more than one transfer, the last transfer) of the licence:
- (a) notify, in writing, the Director of Business Licences under the Business Licences Act 1990 of the change; and
- (b) where as a result of the change any of the particulars set out in the licence is or are no longer appropriate—apply to the Director of Business Licences for amendment of the particulars.
- (m) by omitting from clause 11 (1) the word “licence,” wherever occurring;
- (n) by omitting clause 11 (2) and by inserting instead the following subclause:
- (2) Clause 7 does not apply to or in respect of an application for a substitute permit.
- (o) by omitting from clause 12 (3) (b) the matter “section 29 (5) (c)” and by inserting instead the matter “section 29 (5)”;

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- (p) by omitting clause 13;
- (q) by omitting from clause 260 the words “set out that number in” and by inserting instead the words “that number is to be shown on”;
- (r) by omitting from Schedule 2 Forms 1 to 10 inclusive;
- (s) by inserting in Schedule 2 after Form 29 the following Forms:

Form 30

Cl. 7 (2)

**DANGEROUS GOODS ACT 1975***Application for Permit to Manufacture Explosives*

Application is hereby made for a permit to manufacture explosives in or on the premises described below for immediate use there.

1. Name of applicant Surname Given names  
(See explanatory note 1):
2. Trading name (if any):
3. Postal Address: Postcode:
4. Telephone number of applicant: STD Code: Number:
5. Address of premises where explosives are to be manufactured and used:
6. Nature of Premises  
(See explanatory note 2):
7. Method of mixing:
8. Construction of mixing containers:
9. Name (in full) of person nominated by the applicant to be in charge of mixing:
10. State experience and qualifications as shot-firer (if any) of person named in 9:

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11. Type of explosives:
12. Maximum quantity of explosives to be mixed per day:
13. Type of oil (if any) to be used in mixing:
14. Date (or dates) on which explosives are to be mixed and used:

*Explanatory Notes*

1. Name of Applicant: Full name(s), including given name(s) (if any), must be supplied.
2. Nature of Premises: The nature of the premises, such as farm, mine, quarry, etc. must be given.
3. The completed form should be forwarded to:  
The Chief Inspector  
Dangerous Goods Branch

NO FEE

FAILURE TO ANSWER ALL QUESTIONS WILL RESULT IN A  
DELAY IN THE ISSUE OF YOUR PERMIT

FORM 31

Cl. 9(2)

DANGEROUS GOODS ACT 1975  
*Permit to Manufacture Explosives*

In accordance with the Dangerous Goods Act 1975 and the Dangerous Goods Regulation 1978,

of

is authorised to manufacture explosives as specified hereunder.

Trading Name:  
Location of Premises:  
Nature of Premises:  
Name of Person in charge of mixing:  
Type(s) and class(es) of explosives:  
Maximum quantity to be manufactured:  
Date or dates:  
Conditions:

Dangerous Goods Branch      Chief Inspector of Dangerous Goods

This permit is not transferable to any other premises.

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**EXPLANATORY NOTE**

The object of this Regulation is to amend the Dangerous Goods Regulation 1978 to reflect changes to licensing procedures following the application of the Business Licences Act 1990 to licences for keeping or carrying dangerous goods and to licences for importing, manufacturing or selling explosives.

The licences will, in general, be applied for, granted and subsequently administered as component licences of a master licence under that Act. However, in some cases they will continue (temporarily) to be administered under the Dangerous Goods Act 1975. In those cases, the Dangerous Goods Regulation 1978 is to be read as if it had not been amended by this Regulation.

The Regulation also substitutes, in place of the previous licence system, a new system of permits for the manufacture and use of explosives.

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