

**Authorised Version No. 001**  
**Dangerous Goods (Storage and Handling)**  
**Regulations 2012**

**S.R. No. 132/2012**

Authorised Version as at  
1 December 2012

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**PART 1—PRELIMINARY**

**1 Objectives**

The objectives of these Regulations are—

- (a) to provide for the safe storage and handling of dangerous goods; and
- (b) to revoke the Dangerous Goods (Storage and Handling) Interim Regulations 2011.

**2 Authorising provision**

These Regulations are made under section 52 of the **Dangerous Goods Act 1985**.

**3 Commencement**

These Regulations come into operation on 1 December 2012.

**4 Revocation**

The Dangerous Goods (Storage and Handling) Interim Regulations 2011<sup>1</sup> are **revoked**.

**5 Definitions**

In these Regulations—

**2011 Regulations** means the Dangerous Goods (Storage and Handling) Interim Regulations 2011 as in force immediately before the commencement of these Regulations;

***administrative control*** means controls that use systems of work to eliminate or reduce risk and that do not involve engineering controls or the use of personal protective equipment;

***AS 1940:2004*** means Australian Standard AS 1940:2004, "The storage and handling of flammable and combustible liquids", published by Standards Australia in 2004, as amended from time to time;

***AS 2700S:2011 (R13)*** means Australian Standard AS 2700S:2011 (R13), "Colour standards for general purposes—Signal Red", published by Standards Australia in 2011, as amended from time to time;

***AS 2700S:2011 (Y11)*** means Australian Standard AS 2700S:2011 (Y11), "Colour standards for general purposes—Canary", published by Standards Australia in 2011, as amended from time to time;

***AS/NZS 2106*** means the series of Australian Standards and Australian and New Zealand Standards referred to in Schedule 1, published by Standards Australia in 2005 and jointly by Standards Australia and Standards New Zealand in 1999, as amended from time to time;

***AS/NZS 60079.10.1:2009*** means Australian and New Zealand Standard AS/NZS 60079.10.1:2009, "Explosive atmospheres, Part 10.1: Classification of areas—Explosive gas atmospheres", published jointly by Standards Australia and Standards New Zealand in 2009, as amended from time to time;

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**bulk**, in relation to dangerous goods, means any quantity of dangerous goods that is—

- (a) in a container with a capacity exceeding 500 L or net mass of more than 500 kg; or
- (b) if the dangerous goods are a solid, an undivided quantity exceeding 500 kg;

**C1 combustible liquid** means—

- (a) liquid dangerous goods that have—
  - (i) a flash point that is higher than 60°C, but not higher than 93°C; and
  - (ii) a fire point that is less than the boiling point; or
- (b) a combustible liquid that is declared under regulation 10 to be a C1 combustible liquid for the purposes of these Regulations;

**capacity**, in relation to a container, means the internal volume expressed in litres of a container at 15°C;

**Class**, in relation to dangerous goods, has the same meaning as in regulation 5 of the Dangerous Goods (Transport by Road or Rail) Regulations 2008;

**Class label** means a label of a type specified in the ADG Code for the Class of dangerous goods;

**combustible liquid** means any liquid dangerous goods with a flash point higher than 60°C;

**commencement day** means 1 December 2012;

**compatible**, in relation to 2 or more substances or items, means that they will not react together to cause a fire, explosion, harmful reaction or the evolution of flammable, corrosive or toxic vapours;

**consumer package** means a package that is intended for retail display and sale;

**control temperature** means the maximum temperature at which dangerous goods can be safely stored and handled as specified or determined by, or in accordance with—

- (a) "Recommendations on the Transport of Dangerous Goods—Manual of Tests and Criteria", 5th Revised Edition, published by the United Nations in 2009, as amended from time to time; and
- (b) Part 2 of the ADG Code;

**current MSDS** means the most recent MSDS that complies with regulation 19 or 20 and, if applicable, has been reviewed and revised in accordance with regulation 21;

**dangerous goods in transit** means dangerous goods that—

- (a) are supplied to premises in containers that are not opened at the premises; and
- (b) are not used at the premises; and
- (c) are kept at the premises for a period of not more than 5 consecutive days;

**emergency** means an event that exposes a person or property in the vicinity of the event to an immediate risk through—



- (a) an explosion, fire, harmful reaction or the evolution of flammable, corrosive or toxic vapours involving dangerous goods; or
- (b) the escape, spillage or leakage of any dangerous goods;

***emergency services authority***, in relation to any premises where dangerous goods are stored and handled, means—

- (a) the Metropolitan Fire and Emergency Services Board; or
- (b) the Country Fire Authority—

whichever is appropriate to the location of the premises;

***employer*** has the same meaning as in the **Occupational Health and Safety Act 2004**;

***fire point*** has the same meaning as in AS 1940:2004;

***fire protection system***, in relation to premises, means the fire protection equipment and fire fighting equipment used to combat or mitigate any emergency occurring at the premises;

***fire risk dangerous goods*** means dangerous goods of Class 2.1, 3, 4.1, 4.2, 4.3, 5.1 or 5.2 or dangerous goods of subsidiary risk 2.1, 3, 4.1, 4.2, 4.3, 5.1 or 5.2;

***first supplier***, in relation to goods referred to in regulation 13 or dangerous goods, means a person who—

- (a) has not manufactured the goods in Victoria; and

- (b) is, or intends to be, the first person to supply the goods in Victoria to another person;

**Example**

A person who imports the goods into Victoria from overseas or interstate.

***flash point*** means the temperature at which a liquid first evolves vapour in a sufficient quantity to be ignited when tested in accordance with—

- (a) AS/NZS 2106; or  
(b) a technical standard that specifies a test that is equivalent to that specified in AS/NZS 2106;

***GHS*** means the Globally Harmonised System of Classification and Labelling of Chemicals, Third revised edition or Fourth revised edition, published by the United Nations;

***goods too dangerous to be transported*** has the same meaning as in regulation 39 of the Dangerous Goods (Transport by Road or Rail) Regulations 2008;

***handling*** includes—

- (a) conveying the dangerous goods within premises, including within pipework; and  
(b) manufacturing, processing, using, treating, dispensing, packing, supplying, transferring, rendering harmless, disposing of or destroying the dangerous goods;

***hazard*** means any thing, activity, occurrence or circumstance of any kind that has the potential to cause injury to persons or damage to property by—

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- (a) an explosion, fire, harmful reaction or the evolution of flammable, corrosive or toxic vapours involving dangerous goods; or
  - (b) the escape, spillage or leakage of any dangerous goods;

**hazard class** means the nature of a physical, health or environmental hazard under the GHS;

**hazardous area** has the same meaning as in AS/NZS 60079.10.1:2009;

**hazardous substance** has the same meaning as in the Occupational Health and Safety Regulations 2007;

**health and safety representative** means a person who has been elected as a health and safety representative under Part 7 of the **Occupational Health and Safety Act 2004** and who has not ceased to be a health and safety representative;

**IBC (intermediate bulk container)** has the same meaning as in regulation 11 of the Dangerous Goods (Transport by Road or Rail) Regulations 2008;

**ignition source** means a source of energy sufficient to ignite a flammable atmosphere and includes—

- (a) a naked flame, exposed incandescent material, an electrical welding arc or a mechanical or static spark; and
- (b) any electrical or mechanical equipment that is not specifically designed to be used in a hazardous area;

***incident*** means—

- (a) an emergency; or
- (b) an unintended event that, but for the intervention of a risk control measure or human intervention, is likely to result in an emergency;

***inner packaging***, has the same meaning as in regulation 5 of the Dangerous Goods (Transport by Road or Rail) Regulations 2008;

***isolation***, in relation to the isolation of dangerous goods from a person, property or thing, means the physical separation of the dangerous goods from the person, property or thing by either distance or a physical barrier;

***MSDS*** means a Material Safety Data Sheet;

***package*** has the same meaning as in regulation 51(1) of the Dangerous Goods (Transport by Road or Rail) Regulations 2008;

***packaged dangerous goods*** means dangerous goods, goods too dangerous to be transported or C1 combustible liquids, that are in a container with a net capacity of not more than 500 L or a net mass of not more than 500 kg;

***packaging*** has the same meaning as in regulation 51(2) of the Dangerous Goods (Transport by Road or Rail) Regulations 2008;

**Example**

Inner, outer and composite packaging, overpacks, large packaging, IBCs, tanks, bulk and freight containers, drums, barrels, jerry cans, boxes and bags.

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***Packing Group*** has the same meaning as in regulation 42 of the Dangerous Goods (Transport by Road or Rail) Regulations 2008;

***pipework***, in relation to dangerous goods, means—

- (a) a pipe or an assembly of pipes; and
- (b) associated pipe fittings, valves and pipe accessories—

used to convey dangerous goods;

***plant*** includes—

- (a) any machinery, equipment, appliance, implement and tool; and
- (b) any component of any of those things; and
- (c) anything fitted, connected or related to any of those things;

***pool chlorine*** means calcium hypochlorite, dichloroisocyanuric acid and its salts or trichloroisocyanuric acid;

***premises*** has the same meaning as in the Act, but does not include a vehicle or boat;

***product name***, in relation to dangerous goods, means the brand name or trade name given to dangerous goods by the manufacturer or any supplier of the dangerous goods;

***proper shipping name*** has the same meaning as in the ADG Code;

***reasonably practicable*** means reasonably practicable having regard to—

- (a) the likelihood of the hazard or risk concerned eventuating; and

- (b) the degree of harm that would result if the hazard or risk eventuated; and
- (c) what the person concerned knows, or ought reasonably to know, about the hazard or risk and any ways of eliminating or reducing the hazard or risk; and
- (d) the availability and suitability of ways to eliminate or reduce the hazard or risk; and
- (e) the cost of eliminating or reducing the hazard or risk;

**receptacle**, in relation to dangerous goods, means a container, plant, pipework or any other thing that can contain dangerous goods;

**registered medical practitioner** means a person registered under the Health Practitioner Regulation National Law to practise in the medical profession (other than as a student);

**Safe Work Australia** means Safe Work Australia as established under section 5 of the Safe Work Australia Act 2008 of the Commonwealth;

**stabiliser**, in relation to dangerous goods, means any substance (including any diluent, inhibitor, desensitiser, phlegmatizer, solvent, wetting agent or adulterant) added to, or present in, dangerous goods that overcomes the chemical instability inherent in the dangerous goods;

**subsidiary risk** has the same meaning as in regulation 41 of the Dangerous Goods (Transport by Road or Rail) Regulations 2008;

***subsidiary risk label***, in relation to dangerous goods, means a label of a type specified in the ADG Code for the subsidiary risk of the dangerous goods;

***tank***, in relation to dangerous goods, means a container, other than an IBC, that is used or designed to be used to transport, store or handle dangerous goods in the form of a gas or a liquid in bulk and includes fittings, closures and any other equipment that form part of the container;

***the Act*** means the **Dangerous Goods Act 1985**;

***underground tank*** means a permanent tank that is wholly or partially located beneath the ground;

***UN Number*** or ***UN No.*** has the same meaning as in the ADG Code;

***workplace*** means any place, whether or not in a building or structure, where persons work who are employed under a contract of employment or a contract of training or who are self-employed persons.

## 6 Application

These Regulations do not apply to—

- (a) dangerous goods that are explosives;
- (b) dangerous goods that are used in the manufacture of explosives in accordance with Part 3 of the Dangerous Goods (Explosives) Regulations 2011;
- (c) dangerous goods that are batteries while they are in use;
- (d) dangerous goods in a fuel container that is fitted to a vehicle or boat;

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- (e) dangerous goods in the form of an appliance or plant that forms part of a vehicle or boat and is necessary for its operation;
  - (f) dangerous goods in the fuel container of a domestic or portable fuel burning appliance;
  - (g) dangerous goods that are combustible liquids other than C1 combustible liquids;
  - (h) dangerous goods in portable fire fighting equipment, portable safety equipment or portable medical equipment for use at the premises;
  - (i) asbestos designated by UN 2212 or UN 2590;
  - (j) a receptacle in respect of which an occupier has complied with regulation 39;
  - (k) the following dangerous goods at premises that are not a workplace—
    - (i) compressed gas of Class 2.1, Class 2.2 or compressed oxygen if—
      - (A) each is in one or more containers with an aggregate capacity of not more than 50 L; and
      - (B) the dangerous goods as a whole form part of a welding set or are used or intended to be used with a portable flame torch;
    - (ii) compressed oxygen or air that is used or intended to be used for medical purposes;
    - (iii) dangerous goods of Class 3 in an aggregate quantity of not more than 250 L;



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- (iv) pool chlorine and spa sanitising agents in an aggregate quantity of not more than 100 kg or L;
  - (v) sodium hypochlorite designated by UN 1791 in an aggregate quantity of not more than 100 kg or L;
  - (vi) Class 9 dangerous goods in an aggregate quantity of not more than 100 kg or L;
  - (vii) dangerous goods of Packing Group 1 in an aggregate quantity of not more than 5 kg or L;
  - (viii) C1 combustible liquids in an aggregate quantity of not more than 1000 L;
  - (ix) any other dangerous goods (not including dangerous goods of Class 2.3) in an aggregate quantity of not more than 100 kg or L;
  - (l) dangerous goods that are declared to be HCDG and have no UN Number;
  - (m) dangerous goods specified in a determination by the Authority under regulation 10(1)(c).

## **7 Incorporation of references**

- (1) If any provision of a document is incorporated or adopted by these Regulations, the application, adoption or incorporation does not—
  - (a) include any requirement for approval from the Authority in relation to the storage and handling of dangerous goods; or
  - (b) permit any departure from the requirements of the document incorporated or adopted at the sole discretion of a person to whom those requirements apply.

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- (2) If the effect of an amendment to any document incorporated or adopted by these Regulations is—
- (a) to prohibit an activity, process or thing, the amendment takes effect on the day after it is published, or on any later date specified in the document by which the amendment was made; and
  - (b) to impose a new obligation or to alter an existing obligation under these Regulations, a person may choose to comply with these Regulations as if the amendment had not been made until the expiry of 12 months after the date the amendment takes effect.
- (3) If a provision of any document incorporated or adopted by these Regulations is inconsistent with any provision of these Regulations, the provision of these Regulations prevails.
- (4) In complying with the GHS, a person may use the third revised edition or the fourth revised edition of the Globally Harmonised System of Classification and Labelling of Chemicals but not both.
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## **PART 2—PROVISIONS APPLYING GENERALLY**

### **8 Duties on more than one person**

If, under these Regulations, a duty is placed on more than one person or class of person, the duty must be undertaken by each person or each person in that class only in relation to those matters in respect of which the person has management or control, whether or not any other person is also responsible for undertaking the duty.

### **9 Exemptions**

- (1) The Authority may exempt a person or premises or an activity or other thing or a class of person or premises or activity or other thing from any or all of the provisions of these Regulations.
- (2) The Authority may exempt a person from any or all of the provisions of these Regulations if—
  - (a) the person operates a major hazard facility that is licensed under the Occupational Health and Safety Regulations 2007; and
  - (b) the Authority is satisfied that the person is capable of achieving, in the operation of the facility, a level of health and safety of persons and safety of property that is at least equivalent to the level that would be achieved if these Regulations were complied with.
- (3) The Authority must not grant an exemption in relation to a person or class of person unless the Authority is satisfied that—
  - (a) the person or the class of person is capable of achieving a level of health and safety of persons and safety of property that is at least equivalent to the level that would be achieved if these Regulations were complied with; or

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- (b) the provision which is the subject of the exemption is an administrative requirement under these Regulations that is—
- (i) not directly associated with a risk control measure; and
  - (ii) inappropriate or unnecessary in the circumstances.
- (4) The Authority must not grant an exemption in relation to any premises, activity or other thing or class of premises, activity or other thing unless the Authority is satisfied that a level of health and safety of persons and safety of property can be achieved that is at least equivalent to the level that would be achieved if these Regulations were complied with.
- (5) An exemption granted by the Authority under this regulation—
- (a) must be in writing; and
  - (b) may be subject to any conditions specified by the Authority; and
  - (c) must specify—
    - (i) the person or class of person to whom the exemption has been granted; and
    - (ii) the premises or class of premises for which the exemption has been granted; and
    - (iii) the activity or other thing or the class of activity or other thing for which the exemption has been granted; and
    - (iv) the provision or provisions of these Regulations in relation to which the exemption has been granted; and
    - (v) the conditions (if any) to which the exemption is subject.
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- (6) A person with a duty in relation to which an exemption is granted under this regulation must comply with each condition to which the exemption is subject.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**10 Determinations—Classification etc. of certain dangerous goods**

- (1) The Authority may determine that—
- (a) dangerous goods of a particular Class must be classified, marked or packed in accordance with the Dangerous Goods (Transport by Road or Rail) Regulations 2008;
  - (b) a combustible liquid with a flash point that is higher than 93°C is a C1 combustible liquid for the purposes of these Regulations;
  - (c) these Regulations do not apply to specified dangerous goods or a specified class of dangerous goods, if satisfied that the storage and handling of those dangerous goods does not create a significant danger to persons or property.
- (2) A determination under subregulation (1)(c) may be subject to any conditions specified by the Authority.
- (3) If the Authority makes a determination under this regulation, it must publish a notice in the Government Gazette that—
- (a) must state that the determination has been made and any conditions imposed; and
  - (b) must identify to whom and to what the determination applies; and

- (c) must identify the provision of this regulation under which the determination is made; and
  - (d) may include any other details that the Authority considers to be appropriate.
- (4) A determination takes effect on the day on which the notice is published in the Government Gazette, or on any later day specified in the notice.
- (5) The Authority must ensure that a similar notice is published in a newspaper circulating generally throughout Victoria as soon as possible after complying with subregulation (3).

#### **11 Determination of quantity of dangerous goods**

- (1) If these Regulations require the determination of the quantity of dangerous goods, the quantity must be determined in accordance with this regulation.

##### **Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) In relation to packaged dangerous goods in a container that are—
- (a) non-liquid dangerous goods (other than Class 2 dangerous goods)—the quantity is to be determined by the net mass in kilograms of the goods in the container;
  - (b) liquid dangerous goods (other than Class 2 dangerous goods)—the quantity is to be determined by the net capacity of the container;
  - (c) Class 2 dangerous goods—the quantity is to be determined by the total capacity of the container.

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- (3) In relation to dangerous goods in bulk that are—
- (a) non-liquid dangerous goods (other than Class 2 dangerous goods)—the quantity is to be determined by the mass in kilograms that the container is designed to hold;
  - (b) liquid dangerous goods (other than Class 2 dangerous goods)—the quantity is to be determined by the capacity in litres that the container is designed to hold;
  - (c) Class 2 dangerous goods—the quantity is to be determined by the total capacity of the container;
  - (d) solid dangerous goods not in a container—the quantity is to be determined by the undivided mass in kilograms.
- (4) In relation to dangerous goods that are articles or things, the quantity is to be determined by the net quantity of that part of the article or thing that is in itself dangerous goods.

## **12 Compliance with Occupational Health and Safety Regulations**

- (1) If any provision in Division 3 or 4 of Part 4 requires an occupier to control risk associated with dangerous goods that are also hazardous substances, it is sufficient for the purposes of compliance with that provision for the occupier, if also an employer, to comply with the corresponding requirements of Part 4.1 (Hazardous Substances) of the Occupational Health and Safety Regulations 2007.
- (2) Subregulation (1)—
- (a) applies only to the extent that the provision in Division 3 or 4 of Part 4 requires the occupier to control risk arising from

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- exposure to dangerous goods that are hazardous substances; and
- (b) does not limit the occupier's duties under that provision to control the risk associated with—
- (i) an explosion, fire, harmful reaction or the evolution of flammable, corrosive or toxic vapours involving dangerous goods; or
  - (ii) the escape, spillage or leakage of dangerous goods.
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**PART 3—DUTIES OF MANUFACTURERS AND SUPPLIERS**

**Division 1—General duties**

**Subdivision 1—Determination of dangerous goods**

**13 Determination of dangerous goods**

- (1) A manufacturer or first supplier of goods, who suspects or has reasonable grounds for suspecting that the goods are dangerous goods, must determine whether or not the goods are dangerous goods as soon as possible or, in any event—
- (a) in the case of a manufacturer, before handling the goods or supplying them to any person; or

**Note**

As defined in regulation 5, *handling* includes manufacturing.

- (b) in the case of a first supplier, before supplying the goods to any person.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) In determining whether goods are dangerous goods, the manufacturer or first supplier must—
- (a) if the manufacturer or first supplier suspects, or has reasonable grounds for suspecting, that the goods may be—
- (i) dangerous goods of a particular Class, have regard to regulation 38 of the Dangerous Goods (Transport by Road or Rail) Regulations 2008; or

- (ii) C1 combustible liquids, act in accordance with AS 1940:2004; or

**Note**

See regulation 5 for the definition of *C1 combustible liquid*.

- (iii) goods too dangerous to be transported, have regard to regulation 39 of the Dangerous Goods (Transport by Road or Rail) Regulations 2008; and
- (b) if applicable, ensure that the dangerous goods are—
    - (i) assigned the appropriate Class, subsidiary risk and Packing Group in accordance with the Dangerous Goods (Transport by Road or Rail) Regulations 2008; or
    - (ii) classified into a hazard class in accordance with the GHS.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) A manufacturer or first supplier complies with—
  - (a) subregulation (2)(b)(i) if the dangerous goods are assigned a Class, subsidiary risk or Packing Group in accordance with corresponding legislation; or
  - (b) subregulation (2)(b)(ii) if the dangerous goods are classified into a hazard class in accordance with corresponding legislation.

(4) For the purposes of—

- (a) subregulation (3)(a), ***corresponding legislation*** means the legislative provisions of another Australian jurisdiction that provide for the classification, assignment of subsidiary risk and Packing Group and the marking of dangerous goods for the purposes of transport by road, rail, air or sea;
- (b) subregulation (3)(b), ***corresponding legislation*** means the legislative provisions of another Australian jurisdiction that provide for dangerous goods to be classified and labelled in accordance with the GHS (with or without modifications).

**Example**

The Work Health and Safety laws of other States, Territories and the Commonwealth.

- (5) Part 4 does not apply to any handling of dangerous goods directly associated with determining whether goods are dangerous goods under this regulation.

**Subdivision 2—Packing, marking and labelling**

**14 Packing—manufacturer and first supplier**

- (1) Subject to subregulations (2) and (3), a manufacturer or first supplier who has assigned or classified dangerous goods under regulation 13(2) or (3), must, before supplying the dangerous goods to any person, ensure that the Dangerous Goods (Transport by Road or Rail) Regulations 2008 are complied with in relation to—
  - (a) the condition of the dangerous goods; and

(b) the packages for the dangerous goods.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) A manufacturer or first supplier of C1 combustible liquids or goods too dangerous to be transported must, before supplying the dangerous goods to any person, ensure that the liquids or goods are packed in packaging that is of a type and in a condition that—
- (a) will retain the liquids or goods; and
  - (b) will not react adversely with the liquids or goods which it holds.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) A manufacturer or first supplier of dangerous goods complies with subregulation (1) or (2) if the dangerous goods are packed in accordance with corresponding legislation.
- (4) In subregulation (3), *corresponding legislation* means the legislative provisions of another Australian jurisdiction that provide for the classification, assignment of subsidiary risk and Packing Group and the marking of dangerous goods for the purposes of transport by road, rail, air or sea.

**15 Marking and labelling—manufacturer and first supplier**

- (1) Subject to this regulation, a manufacturer or first supplier of dangerous goods who has assigned or classified dangerous goods under regulation 13(2) or (3), must, before supplying the dangerous goods to any person, ensure that the package marking for the dangerous goods complies with

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the Dangerous Goods (Transport by Road or Rail) Regulations 2008.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) In complying with subregulation (1), a manufacturer or first supplier of dangerous goods may label inner packaging in accordance with the GHS.
- (3) In the case of C1 combustible liquids or goods too dangerous to be transported, a manufacturer or first supplier must, before supplying the dangerous goods to any person, ensure that the liquids or goods are packed in packaging that is clearly marked with the name of the liquids or goods.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (4) A manufacturer or first supplier complies with—
  - (a) subregulation (1) if the package marking is in accordance with corresponding legislation; or
  - (b) subregulation (2) if the inner packaging is labelled in accordance with corresponding legislation.
- (5) For the purposes of—
  - (a) subregulation (4)(a), ***corresponding legislation*** means the legislative provisions of another Australian jurisdiction that provide for the marking of dangerous goods for the purposes of transport by road, rail, air or sea;

- (b) subregulation (4)(b), *corresponding legislation* means the legislative provisions of another Australian jurisdiction that provide for inner packaging for dangerous goods to be labelled in accordance with the GHS (with or without modifications).

**Example**

The Work Health and Safety laws of other States, Territories and the Commonwealth.

**Subdivision 3—Suppliers generally**

**16 Prohibitions on supply**

A person must not supply dangerous goods if the person suspects, or has reasonable grounds for suspecting, that—

- (a) the condition of the dangerous goods or the packages of the dangerous goods do not comply with regulation 14; or
- (b) the package marking or labelling for the dangerous goods does not comply with regulation 15; or
- (c) the container into which the dangerous goods are to be supplied is leaking or will leak.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**17 Application of regulations 16(a) and (b) to retailers**

- (1) Regulations 16(a) and (b) do not apply to a supplier who—
  - (a) is a retailer who supplies packaged dangerous goods by placing them in a container that is provided by the purchaser; and
  - (b) complies with subregulation (2).

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- (2) If a retailer supplies packaged dangerous goods into a container provided by the purchaser, the retailer must—
- (a) in the case of Class 2 dangerous goods, ensure that the container meets the requirements of the Dangerous Goods (Transport by Road or Rail) Regulations 2008 that relate to packages for dangerous goods; and
  - (b) in the case of any other dangerous goods, take all reasonable steps to ensure that the container—
    - (i) is of a type and in a condition that will retain the dangerous goods and will not react adversely with the dangerous goods that it holds; and
    - (ii) has the name of the dangerous goods clearly marked on the container; and
    - (iii) is not ordinarily used to contain foodstuffs.

### **Division 2—Material Safety Data Sheets**

#### **18 Application to C1 combustible liquids**

This Division does not apply to C1 combustible liquids.

##### **Note**

Part 4.1 of the Occupational Health and Safety Regulations 2007 applies to C1 combustible liquids that are also hazardous substances.

## 19 Preparation of MSDS

- (1) A manufacturer or first supplier of dangerous goods must ensure that a MSDS is prepared for dangerous goods before the goods are first supplied for use.

### Note

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) The manufacturer or first supplier must ensure that the MSDS is in legible English and contains—
- (a) the date on which it was last reviewed or, if it has not been reviewed, the date of its preparation; and
  - (b) the name, address and telephone number of—
    - (i) the Australian manufacturer of the dangerous goods; or
    - (ii) the person who imported the dangerous goods into Australia; and
  - (c) an Australian telephone number to be used to obtain information in an emergency; and
  - (d) the product name of the dangerous goods; and
  - (e) if applicable, one or both of—
    - (i) the proper shipping name, UN Number, Class, subsidiary risk and Packing Group of the dangerous goods; or
    - (ii) in the case of dangerous goods classified under regulation 13(2)(b)(ii) in accordance with the GHS, the hazard class; and



- (f) in the case of goods too dangerous to be transported, the name of the goods as specified in Appendix A to the ADG Code; and
- (g) the chemical and physical properties of the dangerous goods; and
- (h) the name of the ingredients of the dangerous goods to the extent required by subregulation (3); and
- (i) for each ingredient of the dangerous goods that is required to be identified with a chemical or generic name under paragraph (h), the proportion (or proportion ranges) of that ingredient in the dangerous goods; and
- (j) any relevant health hazard information including first aid information; and
- (k) information relating to the precautions to be followed in relation to the safe use of the dangerous goods.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) For the purposes of subregulation (2)(h), the manufacturer or first supplier must disclose, in relation to the ingredients of the dangerous goods—
  - (a) the chemical name of each ingredient; or
  - (b) if the identity of an ingredient is commercially confidential, the generic name for the ingredient.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

(4) If—

- (a) a manufacturer or first supplier considers that compliance with subregulation (3)(b) would not provide sufficient commercial protection; and
- (b) the ingredient is not dangerous goods; and
- (c) the ingredient does not have a known synergistic effect—

it is sufficient compliance with subregulation (3)(b) if the manufacturer or first supplier states on the MSDS in relation to that ingredient "other ingredients determined not to be dangerous goods".

## **20 MSDS under corresponding legislation**

- (1) It is sufficient compliance with regulation 19 if a manufacturer or first supplier of dangerous goods—
  - (a) has prepared a MSDS for the dangerous goods in accordance with corresponding legislation; or
  - (b) has prepared a safety data sheet in accordance with the GHS, provided the safety data sheet is in legible English and contains the name, address and telephone number of the person who imported the dangerous goods into Australia.
- (2) In subregulation (1), *corresponding legislation* means provisions in other legislation in Victoria or legislation in another Australian jurisdiction that provide for the form and content of a MSDS or of a safety data sheet as defined under that legislation.

- (3) If a safety data sheet has been prepared in compliance with subregulation (1)(b), a reference in these Regulations (other than regulation 19) to a MSDS includes a reference to the safety data sheet.

## **21 Review and revision of MSDS**

- (1) A manufacturer or first supplier of dangerous goods must ensure that the MSDS for the dangerous goods is reviewed—
- (a) as often as is necessary to ensure that the MSDS contains accurate and current information; and
  - (b) at least every 5 years after the MSDS is first prepared or last reviewed, whichever is later.

### **Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) A manufacturer or first supplier of dangerous goods must ensure that a MSDS is revised if a review reveals that the MSDS contains any information that is not accurate or current.

### **Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) Subregulation (1) does not apply if the manufacturer or first supplier has not supplied the dangerous goods to any person or any premises for a period of 5 years since the MSDS for those dangerous goods was prepared or last revised.

## **22 Supply of MSDS**

- (1) A manufacturer or supplier of dangerous goods must ensure that a copy of the current MSDS for the dangerous goods is provided—

- (a) to any person to whom the dangerous goods are supplied on or before the first occasion that the dangerous goods are supplied for use to that person; and
- (b) if the MSDS is revised, to any person to whom the dangerous goods are supplied for use on or before the first occasion that the dangerous goods are supplied to that person after revision; and
- (c) on request, to an occupier of any premises where those dangerous goods are stored and handled.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) Subregulation (1) does not apply to a supplier if the supplier is—
  - (a) a retailer or a retail warehouse operator and the dangerous goods are supplied in consumer packages; or
  - (b) a retailer supplying fuel to a vehicle; or
  - (c) a retailer to whom regulation 17(1) applies.

**23 Information to registered medical practitioner**

- (1) Despite anything in this Part, a manufacturer or first supplier of dangerous goods must disclose the chemical name of an ingredient of the dangerous goods to a registered medical practitioner if—
  - (a) the MSDS for the dangerous goods, or the marking on the container in which the dangerous goods are supplied, does not disclose the chemical name of the ingredient; and

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- (b) the medical practitioner requests the chemical name of the ingredient to assist with the management of his or her patient.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) The manufacturer or first supplier must immediately comply with a request from a registered medical practitioner for the chemical name of an ingredient of dangerous goods.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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## PART 4—DUTIES OF OCCUPIER

### Division 1—Consultation, information and training

#### 24 Consultation with workers

An occupier of premises where dangerous goods are stored and handled must, so far as is reasonably practicable, consult with persons engaged by the occupier to work at the premises whose health or safety is likely to be affected by the dangerous goods, and any health and safety representative of those persons, regarding—

- (a) induction, training, information provision, hazard identification and risk control; and
- (b) any proposed alteration to structures, plant, processes or systems of work that are likely to increase the risk to those persons.

#### Notes

- 1 An occupier who is an employer must also observe the consultation requirements of the **Occupational Health and Safety Act 2004**.
- 2 Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

#### 25 Induction, information, training and supervision

(1) An occupier of premises where dangerous goods are stored and handled must ensure that a person involved with the storage and handling of dangerous goods at the premises, and any health and safety representative of that person, is provided with induction, information, training and supervision that is—

- (a) in a language or manner appropriate to the person; and

- 
- (b) relevant to the tasks undertaken by the person and the risks associated with those tasks.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) An occupier of premises where dangerous goods are stored and handled must ensure that the induction, information and training provided under subregulation (1) includes instruction in—
- (a) the nature of the hazards and properties of the dangerous goods and the processes used for the identification and control of the risks associated with the person's tasks; and
  - (b) the purpose, use and maintenance of the measures for the control of those risks; and
  - (c) the systems of work and the conduct of persons at the premises in so far as the systems of work and conduct of persons may affect safe storage and handling of dangerous goods; and
  - (d) the operation of the emergency plan for the premises and any procedures and equipment that may be required for use in the event of an emergency; and
  - (e) the proper use and fitting of personal protective equipment.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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**Division 2—Hazard identification**

**26 Identification of hazards**

- (1) An occupier of premises where dangerous goods are stored and handled must ensure that any hazard associated with the storage and handling of dangerous goods at the premises is identified, having regard to what the occupier knows or ought reasonably to know about the hazard.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) Without affecting the generality of subregulation (1), the occupier, when identifying hazards, must have regard to—
- (a) any information about the hazardous properties inherent to the dangerous goods, including a MSDS for the dangerous goods available to the occupier; and
  - (b) the chemical and physical properties of the dangerous goods, including physical state, viscosity, vapour pressure, chemical energy, particle size, solubility, electrical conductivity, reactivity, combustion products and concentration; and
  - (c) any manufacturing and transport processes at the premises involving the dangerous goods, including the temperatures and pressures to which the goods are subjected, physical processes such as separation, mixing, absorption and changes of state and processes involving chemical reaction; and
  - (d) the structures, plant (including the characteristics of the materials used in the plant), systems of work and activities that are used in the storage and handling of the dangerous goods at the premises; and
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- (e) the physical location and arrangement of areas, structures and plant used for the storage and handling of the dangerous goods at the premises; and
- (f) the structures, plant (including the characteristics of the materials used in the plant), systems of work and activities that are not used to store or handle the dangerous goods at the premises but that could interact with the dangerous goods at the premises; and
- (g) the chemical and physical reaction between dangerous goods and other substances and articles with which the dangerous goods may come into contact at the premises; and
- (h) the type and characteristics of incidents associated with the dangerous goods, including incidents affecting the structures or plant used to store or handle the dangerous goods.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**Division 3—Risk control—general duty**

**27 General duty to control risk**

- (1) An occupier of premises where dangerous goods are stored and handled must ensure that any risk associated with the storage and handling of dangerous goods at the premises—
  - (a) is eliminated; or

- (b) if it is not reasonably practicable to eliminate the risk, is reduced so far as is reasonably practicable.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) When complying with subregulation (1), the occupier must consider eliminating or reducing risk associated with the storage and handling of dangerous goods by—
  - (a) substituting other goods, or other dangerous goods, that have a lower risk associated with their storage and handling; and
  - (b) reducing the quantity of dangerous goods stored or handled.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) The occupier must ensure that any measures implemented to control risks are reviewed and, if necessary, revised—
  - (a) before any alteration is made to a process or system of work that is likely to result in changes to risks associated with the storage and handling of dangerous goods; and
  - (b) if required to do so under regulation 64 as a result of an incident occurring at the premises; and
  - (c) if, for any other reason, the risk control measures do not adequately control the risks.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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## **28 Relationship with Divisions 4 and 5**

The generality of the provisions of this Division is not limited by the provisions of Divisions 4 and 5 of this Part.

### **Division 4—Risk control—specific duties**

#### **Subdivision 1—Design**

## **29 Design of new premises, plant, processes and systems of work**

- (1) An occupier must not use new premises or use new plant, processes or systems of work in any premises for the storage and handling of dangerous goods, unless the occupier has first ensured that the new premises or the new plant, processes or systems of work have been designed to—
  - (a) eliminate the risk associated with the storage and handling of dangerous goods; and
  - (b) if it is not reasonably practicable to eliminate the risk, reduce the risk so far as is reasonably practicable.

#### **Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) For the purposes of complying with subregulation (1), the occupier must—
  - (a) have regard to the provisions of this Part; and

- (b) ensure that any hazard associated with the design of the premises, plant, processes or systems of work is identified and controlled having regard to the matters specified in regulation 26(2).

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) In this regulation, premises, plant, processes and systems of work are *new* if—
  - (a) whether or not they are newly constructed, commissioned or established, they have not previously been used for the storage and handling of dangerous goods; or
  - (b) if they have been previously used for the storage and handling of dangerous goods, they are to be altered in a way that ought reasonably be expected to create a new or different hazard or risk associated with that use.

**Subdivision 2—Workers and visitors**

**30 Risk to workers**

- (1) An occupier of premises where dangerous goods are stored and handled must not rely solely on administrative controls or personal protective equipment to eliminate or reduce risk to persons engaged by the occupier to work at the premises, unless it is not reasonably practicable to—
  - (a) eliminate the use of dangerous goods or the risk associated with the use of dangerous goods; or

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- (b) reduce the risk associated with the use of dangerous goods by—
- (i) the substitution of other dangerous goods that have a lower risk associated with their storage and handling; or
  - (ii) the use of engineering controls; or
  - (iii) isolation of the dangerous goods from persons.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) If an occupier of premises where dangerous goods are stored and handled uses personal protective equipment to eliminate or reduce risk to persons engaged by the occupier to work at the premises, the occupier must—
- (a) provide personal protective equipment that is suitable for use with the dangerous goods; and
  - (b) ensure that the personal protective equipment is maintained in a clean and serviceable condition.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) A person must not wilfully damage or render ineffective any personal protective equipment provided under subregulation (2).

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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### **31 Visitors to premises**

An occupier of premises where dangerous goods are stored and handled must ensure that a visitor to the premises is provided with information, safety instructions and supervision that are sufficient to ensure that any risk to the visitor or any other person on the premises that is associated with the storage and handling of dangerous goods is reduced so far as is reasonably practicable.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

### **32 Security at premises**

An occupier of premises where dangerous goods are stored and handled must, so far as is reasonably practicable, prevent access to the premises by unauthorised persons.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

## **Subdivision 3—Stability and interaction of dangerous goods**

### **33 Stability**

- (1) An occupier of premises where dangerous goods are stored and handled must ensure, so far as is reasonably practicable, that the dangerous goods do not inadvertently become unstable, decompose or change so as to—
  - (a) create a hazard that is different from the hazard originally created by the dangerous goods; or

- (b) increase the risk associated with the dangerous goods.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) Without limiting the generality of subregulation (1), the occupier must ensure that—
  - (a) if the stability of the dangerous goods is dependent on the maintenance of levels of stabilisers—those levels are maintained; and
  - (b) if the dangerous goods are required to be stored or handled at or below a particular control temperature—they are stored at or below that temperature.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) In complying with—
  - (a) subregulation (2)(a), the occupier must have regard to the stabiliser levels specified by the manufacturer of the dangerous goods (if any); and
  - (b) subregulation (2)(b), the occupier must have regard to the relevant control temperature specified by the manufacturer (if any).
- (4) Subregulation (2) does not apply in relation to dangerous goods that are about to be used in a manufacturing process.

**34 Isolation**

Without affecting the generality of regulations 27 and 29, an occupier of premises where dangerous goods are stored and handled must ensure that the risk to persons and property not located at the premises that arises from an incident—

- (a) is eliminated; or
- (b) if it is not reasonably practicable to eliminate the risk, is reduced so far as is reasonably practicable by isolation.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**35 Interaction with other substances**

An occupier of premises where dangerous goods are stored and handled must ensure that the risk associated with the chemical and physical reaction between the dangerous goods and other substances or articles at the premises—

- (a) is eliminated; or
- (b) if it is not reasonably practicable to eliminate the risk, is reduced so far as is reasonably practicable.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**36 Interaction with other plant and processes**

An occupier of premises where dangerous goods are stored and handled must, so far as is reasonably practicable, ensure that the risk associated with the storage and handling of the dangerous goods is not increased by any structure, plant (including the materials used in the plant), system of work or activity that—

- (a) is not used to store or handle dangerous goods at the premises; and



- (b) is capable of interacting with the dangerous goods at the premises.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**Subdivision 4—Plant and structures**

**37 Structures and plant—condition and repair**

- (1) An occupier of premises where dangerous goods are stored and handled must ensure that structures and plant used for the storage and handling of dangerous goods are manufactured, installed, commissioned, operated, tested, maintained, repaired and decommissioned—
- (a) so as to eliminate the risk associated with the storage and handling of the dangerous goods; or
- (b) if it is not reasonably practicable to eliminate the risk, so as to reduce the risk so far as is reasonably practicable.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) If the maintenance or repair of any structure or plant referred to in subregulation (1) involves the use of welding, cutting or other processes that generate heat or introduce ignition sources, the occupier must ensure that the risk of a fire or explosion involving the dangerous goods—
- (a) is eliminated; or

- (b) if it is not reasonably practicable to eliminate the risk, is reduced so far as is reasonably practicable.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**38 Containers for bulk dangerous goods**

- (1) Without limiting the generality of regulation 37, an occupier of premises where bulk dangerous goods are stored in a container must ensure that—
- (a) the container and its associated pipework are provided with stable foundations and supports; and
  - (b) any pipework or equipment connected to the container is installed so as to prevent excessive stress on the container, pipework or equipment; and
  - (c) the container and its associated pipework are protected from corrosion; and
  - (d) the container is inspected at intervals that are sufficient to ensure the integrity and serviceability of the container; and
  - (e) the results of an inspection under paragraph (d) are recorded and retained for as long as the container remains in service on the premises managed and controlled by the occupier; and
  - (f) in the event of the occupier ceasing to manage and control the premises, the recorded results of an inspection are delivered to the person who subsequently becomes the occupier.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) A person who becomes an occupier of premises and takes delivery of recorded inspection results under subregulation (1)(f) must retain the record in accordance with subregulation (1)(e).

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**39 Clearing of decommissioned receptacles**

- (1) Without limiting the generality of regulation 37, the occupier of premises where a receptacle was used in connection with dangerous goods must ensure that the receptacle is cleared of dangerous goods in accordance with subregulation (2) if the receptacle—
- (a) is no longer intended to be so used; or
  - (b) is to be disposed of.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) For the purposes of subregulation (1), the occupier must ensure that—
- (a) the receptacle is—
    - (i) thoroughly cleaned so that there is no discernible trace of the dangerous goods; or
    - (ii) subjected to a process in which its contents are neutralised, cured or chemically deactivated; and
  - (b) the atmosphere within the receptacle is cleared—
    - (i) if the gas or vapour in the atmosphere is listed in the Hazardous Substances Information System (HSIS) published by Safe Work Australia on its Internet

site, as amended from time to time—to ensure that the concentration (calculated as the time-weighted average over 8 hours) of the gas or vapour in the atmosphere is less than the listed concentration for the gas or vapour; or

- (ii) if the gas or vapour in the atmosphere is dangerous goods of Class 2.1, Class 3 or subsidiary risk 3—to ensure that the concentration of those goods in the atmosphere is less than 5% of the lower explosive limit for the goods when sampled at ambient temperature; or
- (iii) if the gas or vapour in the atmosphere is a gas or vapour to which both subparagraphs (i) and (ii) apply—to ensure that the requirements of subparagraphs (i) and (ii) are complied with.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**40 Protection from impact**

An occupier of premises where dangerous goods are stored and handled must ensure that the dangerous goods and any structure or plant associated with the storage and handling of the dangerous goods is, so far as is reasonably practicable, protected against damage from impact with vehicles, mobile plant, ships or boats.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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**Subdivision 5—Spill control**

**41 Spill containment**

- (1) An occupier of premises where dangerous goods are stored and handled must ensure that, in each area at the premises where dangerous goods are stored or handled, provision is made for spill containment that will—
  - (a) eliminate the risk from any spill or leak of solid or liquid dangerous goods or, if it is not reasonably practicable to eliminate the risk, reduce it so far as is reasonably practicable; and
  - (b) so far as is reasonably practicable, contain within the premises the dangerous goods that have been spilled or leaked and any solid or liquid effluent arising from an incident.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) In the case of dangerous goods contained in a tank, the occupier must ensure that the spill containment for that tank is not shared with any other dangerous goods or other substances that are not compatible with the dangerous goods in the tank.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) In the event of a spill or leak of dangerous goods, the occupier must ensure that—
  - (a) immediate action is taken to reduce any risk associated with the spill or leak so far as is reasonably practicable; and

- (b) the dangerous goods and any resulting effluent are, as soon as is reasonably possible, cleaned up and disposed of or otherwise made safe.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**42 Transfer of dangerous goods**

- (1) An occupier of premises where dangerous goods are stored and handled must ensure that any risk associated with the transfer of dangerous goods—
  - (a) from area to area within the premises; or
  - (b) from or into a container on the premises—is eliminated or, if it is not reasonably practicable to eliminate the risk, is reduced so far as is reasonably practicable.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) In controlling risk in accordance with subregulation (1), the occupier must, as relevant, have regard to—
  - (a) the need for measures to—
    - (i) control spills and leaks; and
    - (ii) minimise static electricity; and
    - (iii) control vapour generation; and
  - (b) how compatible the pipework at the premises is with the dangerous goods being transferred.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) In relation to the transfer of dangerous goods into a container used for the storage of dangerous goods in bulk, the occupier must ensure, so far as is reasonably practicable, that engineering controls are used to control the risk associated with overfilling the container.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**Subdivision 6—Dangerous atmospheres**

**43 Ignition sources in hazardous areas**

An occupier of premises where dangerous goods are stored and handled must ensure that, so far as is reasonably practicable, ignition sources are not present in any hazardous area within the premises.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**44 Ventilation and atmospheric emissions**

An occupier of premises where dangerous goods are stored and handled must ensure that any risk associated with any atmospheric conditions that are flammable, explosive or asphyxiant—

- (a) is eliminated; or
- (b) if it is not reasonably practicable to eliminate the risk, is reduced so far as is reasonably practicable.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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**Division 5—Preparedness for incidents and emergencies**

**Subdivision 1—Manifests**

**45 Manifest to be maintained**

- (1) Premises where dangerous goods are stored and handled in quantities that exceed the relevant quantities specified in the column headed "Manifest Quantity" in the table in Schedule 2 are prescribed premises for the purposes of section 30 of the Act.
- (2) A manifest is in the prescribed form for the purposes of section 30 of the Act if it contains the information specified in Schedule 3.
- (3) An occupier of prescribed premises must ensure that the manifest is kept on the premises in a place where it is readily accessible to the emergency services authority.

**Note**

Failure to keep a manifest in accordance with this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act (see section 30 of the Act).

**46 Revision of manifest**

An occupier of premises referred to in regulation 45 must ensure that the manifest is revised as soon as possible after a change in any of the information specified in Schedule 3.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.



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### **Subdivision 2—Placards**

#### **47 Outer warning placards**

- (1) If the quantities of dangerous goods stored and handled at premises exceed the relevant quantities specified in the column headed "Placarding Quantity" in the table in Schedule 2, the occupier of those premises must ensure that a "HAZCHEM" outer warning placard as specified in Schedule 4 is displayed—
  - (a) in the case of a farm or a school, university or other educational institution—at the main road entrance to the premises; and
  - (b) in the case of any other premises—at every entrance for road vehicles and every rail entrance.

#### **Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) This regulation does not apply to premises if—
  - (a) the premises are a retail outlet; and
  - (b) the Schedule 2 dangerous goods are used to refuel a vehicle and are one or both of—
    - (i) a flammable gas; or
    - (ii) a flammable liquid.

#### **48 Placarding requirements**

- (1) An occupier of premises where dangerous goods are stored and handled must ensure that the following are placarded in accordance with this regulation—
  - (a) any container or other storage of dangerous goods in bulk; and

- (b) any storage of packaged dangerous goods that exceeds the relevant quantity specified in the column headed "Placarding Quantity" in the table in Schedule 2.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) Subregulation (1) does not apply to—
  - (a) dangerous goods in bulk in any container, including an IBC, that is intended for transport and marked in accordance with the ADG Code; or
  - (b) C1 combustible liquids in bulk in a quantity not exceeding 10 000 L that are isolated from other dangerous goods; or
  - (c) dangerous goods of Class 2.1 or 3 or C1 combustible liquids that are stored in an underground tank at a retail outlet where the goods are used to refuel vehicles.
- (3) The dimensions, design, layout and content of a placard must be in accordance with Schedule 4.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (4) A placard must be kept clean, in good order and unobstructed.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (5) A placard required by subregulation (1) or by regulation 47 must be located—
  - (a) so that it is clearly legible by persons approaching the placard; and

- (b) so that it is separate from any other sign or writing which contradicts, qualifies or distracts attention from the placard.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (6) A placard required by subregulation (1)(a) must be located on or adjacent to each container or storage.
- (7) A placard required by subregulation (1)(b) must be located—
- (a) at the entrance to any building in which the dangerous goods are stored; and
  - (b) within a building referred to in paragraph (a), at the entrance to each room or other closed or walled section of the building in which the dangerous goods are stored; and
  - (c) adjacent to any external storage area where the dangerous goods are stored.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (8) If the dangerous goods to which placards apply are removed from the premises, the occupier must remove the placards.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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#### **49 Different location permitted**

- (1) An occupier of premises that are required to be placarded under this Subdivision may place placards in locations different from those specified in this Subdivision if the emergency services authority agrees with the placards being in those different locations.
- (2) The occupier must ensure that the agreement of the emergency services authority is in writing and is readily available for inspection by the Authority.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

#### **50 Revision**

An occupier of premises must ensure that all placards required by this Subdivision are revised as soon as possible after any change to the type or quantity of dangerous goods stored or handled at the premises that requires different information to be displayed.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

#### **51 Placards in place on commencement date**

- (1) A placard that is in place immediately before the commencement day and that is in accordance with the 2011 Regulations is taken to comply with this Subdivision.
- (2) Subregulation (1) does not apply if the placard is illegible or is replaced on or after the commencement day.

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**Subdivision 3—Equipment and planning**

**52 Equipment for clean-up**

An occupier of premises where dangerous goods are stored and handled must ensure that equipment and materials appropriate for persons to use for the containment and clean-up of reasonably foreseeable escapes, spills or leaks of dangerous goods are—

- (a) kept on the premises; and
- (b) accessible at all times to persons on the premises.

**Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**53 Fire protection—general**

- (1) An occupier of premises where dangerous goods are stored and handled must ensure that—
  - (a) the premises are provided with a fire protection system that—
    - (i) is designed and constructed for the types and quantities of the dangerous goods and the conditions under which they are stored and handled; and
    - (ii) uses fire fighting media that are compatible with the dangerous goods and are effective in the control of incidents involving those types and quantities of dangerous goods; and
  - (b) the fire protection system is—
    - (i) properly installed, tested and maintained; and

- (ii) at all times accessible to persons on the premises and the emergency services authority; and
- (iii) capable of being used, without adaptation or modification, with the equipment used by the emergency services authority.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) The occupier must, if any of the components of the fire protection system are rendered unserviceable or inoperative, ensure that—
  - (a) the implications of any of the components of the system being unserviceable or inoperative are assessed; and
  - (b) alternative measures are taken to control, to the same level of effectiveness, those risks that were controlled by the system when fully functioning; and
  - (c) the fire protection system is returned to full operation as soon as possible.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) If the implications of the system becoming unserviceable or inoperative, as assessed by the occupier under subregulation (2)(a), include a significant reduction in the effectiveness of the fire protection system, the occupier must notify the emergency services authority of the condition of the fire protection system.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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- (4) In determining the alternative measures required under subregulation (2)(b) the occupier must have regard to the need for—
- (a) the provision of alternative fire protection measures; and
  - (b) a reduction of the quantities of dangerous goods; and
  - (c) stopping or limiting the processes used for the storage and handling of dangerous goods; and
  - (d) modifications to systems of work.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**54 Fire protection—premises exceeding relevant Fire Protection Quantity**

- (1) If an occupier of premises, where dangerous goods are stored and handled in quantities that exceed the relevant quantities specified in the column headed "Fire Protection Quantity" in the table in Schedule 2, intends to establish a fire protection system for the premises, the occupier must—
- (a) request the written advice of the emergency services authority, in relation to the design of the fire protection system for the premises; and
  - (b) in establishing the fire protection system for the premises, have regard to that written advice.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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- (2) An occupier of premises who has established a fire protection system for the premises must request the written advice of the emergency services authority and have regard to that written advice, before—
- (a) making modifications that require a review of risk control measures under regulation 27(3) in relation to—
    - (i) any building or structure on the premises; or
    - (ii) the types or quantities of dangerous goods stored or handled on the premises; or
    - (iii) the plant or processes, including the introduction of new plant or processes, associated with the storage or handling of dangerous goods; or
  - (b) altering the fire protection system on the premises.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**55 Planning for emergencies**

- (1) This regulation applies in relation to premises where dangerous goods are stored and handled in quantities that exceed the relevant quantities specified in the column headed "Manifest Quantity" in the table in Schedule 2.
- (2) An occupier of premises to which this regulation applies must ensure that a written plan for dealing with any emergency associated with the storage and handling of dangerous goods on those premises is—



- 
- (a) developed, implemented and maintained; and
  - (b) communicated to—
    - (i) persons who are engaged by the occupier to work at the premises and who may be exposed to risk as a result of an emergency; and
    - (ii) persons in management and control of adjacent premises, if persons or property on the adjacent premises may be exposed to risk as a result of an emergency.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) In developing or reviewing the emergency plan, the occupier must—
  - (a) request the written advice of the emergency services authority; and
  - (b) have regard to that written advice.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (4) The occupier must ensure that the emergency plan required under this regulation reduces the risk, so far as is reasonably practicable, associated with an emergency.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (5) Without limiting the generality of this regulation, the occupier must ensure that the plan clearly describes the location of the manifest maintained under Subdivision 1 of this Division.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (6) The occupier must review the emergency plan—
- (a) if there is a change in circumstances at the premises and the plan no longer complies with subregulation (4); and
  - (b) at intervals of not more than 5 years from the date on which the plan was developed or last reviewed.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**Division 6—Material Safety Data Sheets**

**56 Currency and accessibility**

- (1) An occupier of premises where dangerous goods are stored and handled must—
- (a) obtain the current MSDS for those dangerous goods on or before the first occasion that they are supplied to the premises; and
  - (b) ensure that the current MSDS is available for all dangerous goods stored and handled at the premises and is readily accessible to persons engaged by the occupier to work at the premises, the emergency services authority and any other person on the premises; and

- (c) ensure that the information in the MSDS is only altered where permitted or required by these Regulations.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) Subject to subregulation (3), subregulation (1) does not apply in relation to dangerous goods that are—
- (a) dangerous goods in transit; or
  - (b) stored and handled at a retail outlet in consumer packages that remain sealed and unopened until sold.
- (3) An occupier of premises to which subregulation (2) applies—
- (a) who possesses a current MSDS for dangerous goods on the premises, must comply with subregulation (1)(b) and (c) in relation to the MSDS;
  - (b) who does not possess a current MSDS for dangerous goods on the premises, must ensure that alternative information in relation to the safe storage and handling of the dangerous goods is readily accessible to persons engaged by the occupier to work at the premises.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (4) If an occupier makes available, in addition to the MSDS, information in relation to the safe storage and handling of the dangerous goods to which the MSDS relates, the occupier must ensure that the additional information is—

- (a) consistent with the information contained in the MSDS; and
- (b) clearly identified as being provided by the occupier.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

**Division 7—Marking**

**57 Packages received**

- (1) If an occupier of premises receives a package of dangerous goods that is marked or labelled in accordance with regulation 15, the occupier must ensure, during the period the dangerous goods remain in the package, that—
  - (a) the package remains so marked; and
  - (b) the marking remains legible and is not removed, defaced or altered.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) If—
  - (a) the dangerous goods are removed from the package; and
  - (b) the package remains marked as it was when it was received—

the occupier must ensure that the container forming part of the package is not used to contain dangerous goods other than dangerous goods of the type in the package when it was first received.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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## 58 Transfer

- (1) If dangerous goods are transferred into a portable container for use at the premises, the occupier must ensure that—
  - (a) the container into which the dangerous goods are transferred is clearly labelled with the Class label, subsidiary risk label and product name of the dangerous goods; or
  - (b) if it is not possible to label the container with the Class label, subsidiary risk label and product name of the dangerous goods—another means of clearly identifying the dangerous goods is used.

### Note

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) Subregulation (1) does not apply if the dangerous goods transferred are to be used immediately and the portable container is cleared in accordance with regulation 39.

## 59 Pipework

An occupier of premises where dangerous goods are stored and handled must ensure that any pipework containing dangerous goods is marked so as to ensure, so far as is reasonably practicable, that the dangerous goods are clearly identified to persons engaged by the occupier to work at the premises.

### Note

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

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**Division 8—Register**

**60 Register of dangerous goods**

- (1) An occupier of premises where dangerous goods are stored and handled must ensure that—
- (a) a register is kept and maintained for the dangerous goods stored and handled; and
  - (b) the register contains a list of all dangerous goods stored and handled at the premises and, if required, a MSDS for each of the dangerous goods; and
  - (c) the register is readily accessible to any person engaged by the occupier to work at the premises and any other person who is likely to be affected by the dangerous goods on the premises.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) Subregulation (1) does not apply to dangerous goods received in packages of such a size that they do not have to be marked under the ADG Code.
- (3) Subregulation (1) does not apply to dangerous goods in transit.
- (4) In relation to dangerous goods that are also hazardous substances, it is sufficient for the purposes of compliance with subregulation (1)(a) and (b) for an occupier, if also an employer, to comply with regulation 4.1.23(1) and (2) of the Occupational Health and Safety Regulations 2007.

**Note**

The effect of this subregulation is that, in the circumstances described, employers need only keep and maintain a single register for both dangerous goods and hazardous substances.

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**Division 9—Incidents**

**61 Prescription of dangerous goods under section 32 of the Act**

- (1) Dangerous goods of Class 2.2, other than those listed in Schedule 5, are prescribed dangerous goods for the purposes of section 32(2)(a) of the Act.
- (2) A quantity of packaged dangerous goods (other than Class 2.3 or Packing Group I) less than 250 kg or 250 L, that is involved in a fire, explosion, spillage, leakage or escape that does not result in injury to any person or damage to any property, is a prescribed quantity of dangerous goods for the purposes of section 32(2)(b) of the Act.

**62 Response to emergencies**

- (1) An occupier of premises where dangerous goods are stored and handled must respond to an emergency at the premises by ensuring that—
  - (a) immediate action is taken to assess and control any risk associated with the emergency, including making any plant or equipment associated with the emergency and the surrounding area safe so far as is reasonably practicable; and
  - (b) only persons essential to carrying out the action referred to in paragraph (a) remain in the vicinity of the emergency; and
  - (c) the risk to each person engaged by the occupier at the premises to carry out the action referred to in paragraph (a) is reduced so far as is reasonably practicable.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) The duties of the occupier under subregulations (1)(b) and (1)(c) do not extend to members of the emergency services authority responding to the emergency.

### **63 Investigation of incidents**

An occupier of premises where dangerous goods are stored and handled must ensure that—

- (a) any incident occurring at the premises is investigated and that the investigation, so far as possible, determines the cause or likely cause of the incident; and
- (b) a record of the investigation of the incident is—
  - (i) made; and
  - (ii) kept for at least 5 years; and
  - (iii) readily available, on request, to the Authority.

#### **Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

### **64 Risk control following incidents**

The occupier of premises where an incident has occurred must—

- (a) review any relevant risk control measures, taking into account the results of the investigation into the incident; and
- (b) if the review identifies deficiencies in any risk control measures, alter those measures or implement new measures in accordance with this Part.

#### **Note**

Contravention of this regulation may constitute an offence for the purposes of sections 45 and 45A of the Act.



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**65 Authority may request information**

- (1) The Authority may request any information from an occupier of premises where dangerous goods are stored and handled in relation to—
  - (a) the cause or effect of an incident that has occurred on the premises; and
  - (b) any action taken by the occupier as a result of the incident.
- (2) A request for information must—
  - (a) be in writing; and
  - (b) specify a reasonable period within which the occupier must respond.
- (3) The occupier must provide the requested information—
  - (a) in writing; and
  - (b) within the period specified by the Authority.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (4) This regulation does not apply to an incident at premises that are not a workplace.
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**PART 5—NOTIFICATION**

**66 Notification to Authority**

- (1) An occupier of premises where dangerous goods are stored and handled in quantities that exceed the relevant quantities specified in the column headed "Manifest Quantity" in the table in Schedule 2 must ensure that the Authority is notified of the presence of those dangerous goods.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (2) A notification to the Authority under subregulation (1) must—
- (a) be given within 14 days after the obligation to notify arises; and
  - (b) include the following information—
    - (i) the name of the occupier; and
    - (ii) the address of the premises where the dangerous goods are stored and handled; and
    - (iii) the occupier's contact details; and
    - (iv) the nature of the principal activities involving the dangerous goods; and
    - (v) the Class and the maximum quantity of the dangerous goods stored and handled in bulk or as packaged dangerous goods; and
    - (vi) descriptions and details and the maximum quantity of any C1 combustible liquids stored and handled in bulk or as packaged dangerous goods; and

- 
- (vii) the product name and the maximum quantity of goods too dangerous to be transported.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (3) The occupier must ensure that the Authority is provided with further notification, containing the information required under subregulation (2), every 5 years, or at such longer intervals as are specified by the Authority.

**Note**

Contravention of this subregulation may constitute an offence for the purposes of sections 45 and 45A of the Act.

- (4) This regulation does not apply in relation to a major hazard facility that is licensed or registered under the Occupational Health and Safety Regulations 2007.

**67 Authority to acknowledge notification**

On receiving a notification under regulation 66, the Authority must send the occupier an acknowledgment of the notification.

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**PART 6—SAVINGS AND TRANSITIONAL PROVISIONS**

**68 Continuing effect of notifications**

- (1) This regulation applies in relation to a notification under regulation 506 of the 2011 Regulations, that was in effect immediately before the commencement of these Regulations.
- (2) Regulation 66 applies in relation to a notification referred to in subregulation (1) as if, for the purposes of the first further notification after that notification, the reference in regulation 66(3) to 5 years were a reference to 2 years.

**Note**

A notification under the Dangerous Goods (Storage and Handling) Regulations 2000, that was in force immediately before the commencement of the 2011 Regulations has effect as if given under the 2011 Regulations: see section 30(b) of the **Interpretation of Legislation Act 1984**. This regulation applies in relation to that notification.

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## SCHEDULES

### SCHEDULE 1

Regulation 5

#### SERIES OF STANDARDS—AS/NZS 2106

AS 2106.0:2005	Methods for the determination of the flash point of flammable liquids (closed cup), Part 0: General
AS/NZS 2106.1:1999	Methods for the determination of the flash point of flammable liquids (closed cup), Part 1: Abel closed cup method
AS 2106.2:2005	Methods for the determination of the flash point of flammable liquids (closed cup), Part 2: Determination of flash point—Pensky-Martens closed cup method
AS 2106.3:2005	Methods for the determination of the flash point of flammable liquids (closed cup), Part 3: Determination of flash/no flash—Rapid equilibrium closed cup method
AS 2106.4:2005	Methods for the determination of the flash point of flammable liquids (closed cup), Part 4: Determination of flash point—Rapid equilibrium closed cup method
AS 2106.5:2005	Methods for the determination of the flash point of flammable liquids (closed cup), Part 5: Determination of flash/no flash—Closed cup equilibrium method
AS 2106.6:2005	Methods for the determination of the flash point of flammable liquids (closed cup), Part 6: Determination of flash point—Closed cup equilibrium method

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**SCHEDULE 2**

Regulations 45(1), 47,  
48(1), 54(1), 55(1) and 66(1)

**QUANTITIES OF DANGEROUS GOODS**

- 1 For the purposes of the table below, the Placarding Quantity, Manifest Quantity or Fire Protection Quantity is equal to the total of the quantities determined in accordance with regulation 11.
- 2 In the table below, **kg** or **L** means, where this combination of letters immediately follows numbers, the combined total of—
  - (a) the number of kilograms of non-liquid dangerous goods; and
  - (b) the number of litres of liquid dangerous goods; and
  - (c) the capacity of containers of Class 2 dangerous goods—determined in accordance with regulation 11.

<i>Item</i>	<i>Description of Dangerous Goods</i>	<i>Packing Group</i>	<i>Placarding Quantity</i>	<i>Manifest Quantity</i>	<i>Fire Protection Quantity</i>
1	Class 2				
	Class 2.1	N/A	500 L	5000 L	5000 L
	Class 2.2 subsidiary risk 5.1	N/A	2000 L	10 000 L	20 000 L
	Other Class 2.2	N/A	5000 L	10 000 L	20 000 L
	Class 2.3	N/A	50 L	500 L	2000 L
	Aerosols	N/A	5000 L	10 000 L	20 000 L
	Cryogenic Fluids	N/A	1000 L	10 000 L	20 000 L

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<i>Item</i>	<i>Description of Dangerous Goods</i>	<i>Packing Group</i>	<i>Placarding Quantity</i>	<i>Manifest Quantity</i>	<i>Fire Protection Quantity</i>
2	Class 3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1 or 8	I	50 kg or L	500 kg or L	2000 kg or L
		II	250 kg or L	2500 kg or L	10 000 kg or L
		III	1000 kg or L	10 000 kg or L	20 000 kg or L
		Mixed Packing Groups in a single Class with the quantity of each Packing Group below the specified quantity for the Packing Group.	1000 kg or L	10 000 kg or L	20 000 kg or L
3	Class 9	II	1000 kg or L	10 000 kg or L	20 000 kg or L
		III	5000 kg or L	10 000 kg or L	20 000 kg or L
		Mixed Packing Groups in Class 9 with the quantity of each Packing Group below the specified quantity for the Packing Group.	5000 kg or L	10 000 kg or L	20 000 kg or L

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<i>Item</i>	<i>Description of Dangerous Goods</i>	<i>Packing Group</i>	<i>Placarding Quantity</i>	<i>Manifest Quantity</i>	<i>Fire Protection Quantity</i>
4	Mixed Classes of dangerous goods where none of the Classes, types or Packing Groups (if any) present exceeds the quantities specified for the relevant quantity in items 1, 2 and 3 of this Table.	N/A	5000 kg or L— The quantity only applies where the Placarding Quantity for an individual Class that is present is 5000 kg or L.  2000 kg or L— The quantity only applies where the Placarding Quantity for all of the Classes present is 2000 kg or L or less.	10 000 kg or L	20 000 kg or L
5	C1 combustible liquids stored and handled with fire risk dangerous goods where none of the Classes, types or Packing Groups (if any) present exceeds the relevant quantities in items 1, 2 or 3 of this Table.	N/A	1000 L	10 000 L	20 000 L



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<i>Item</i>	<i>Description of Dangerous Goods</i>	<i>Packing Group</i>	<i>Placarding Quantity</i>	<i>Manifest Quantity</i>	<i>Fire Protection Quantity</i>
6	Goods too dangerous to be transported that are not kept in a laboratory.	N/A	0 kg or L	0 kg or L	0 kg or L
7	C1 combustible liquids in bulk stored and handled in isolation from other dangerous goods.	N/A	10 000 L	100 000 L	100 000 L
	C1 combustible liquids stored and handled in packages in isolation from other dangerous goods.	N/A	50 000 L	100 000 L	100 000 L
	C1 combustible liquids in bulk and in packages stored and handled in isolation from other dangerous goods provided the quantity in bulk is 10 000 L or less.	N/A	50 000 L	100 000 L	100 000 L

**Note**

For the purposes of item 3 in the Table, where Class 9 dangerous goods do not have a Packing Group assigned to them, they are taken to be assigned to Packing Group III.

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**SCHEDULE 3**

Regulations 45(2) and 46

**INFORMATION TO BE CONTAINED IN A MANIFEST**

**Information to be contained in a manifest maintained under section 30 of the Act—**

**1 General information**

- (a) The name of the occupier of the premises.
- (b) The address of the premises.
- (c) The date when the manifest was prepared or last revised.

**2 Emergency contacts**

Contact information for at least 2 persons who may be contacted in the event of an incident.

**3 Summary information about Classes of dangerous goods**

A summary list that specifies the maximum quantity at the premises of—

- (a) each Packing Group of each Class of dangerous goods that has Packing Groups; and
- (b) each Class of dangerous goods that does not have Packing Groups; and
- (c) C1 combustible liquids; and
- (d) each type of goods too dangerous to be transported.

**4 Dangerous goods stored in bulk other than in IBCs**

- (1) In relation to each container (other than an IBC) and each other storage of dangerous goods in bulk at the premises—

- 
- (a) the identification number or code; and
  - (b) the type and capacity.
- (2) In relation to dangerous goods that are—
- (a) dangerous goods other than C1 combustible liquids or goods too dangerous to be transported—the proper shipping name, the UN Number and Class of the dangerous goods; and
  - (b) C1 combustible liquids—the product name and the statement "Combustible Liquid"; and
  - (c) goods too dangerous to be transported—the name of the goods specified in Appendix A of the ADG Code and the statement "Goods too dangerous to be transported".

### **5 Packaged dangerous goods**

In relation to each storage area that contains packaged dangerous goods or dangerous goods in IBCs, and that is required to be placarded in accordance with Subdivision 2 of Division 5 of Part 4—

- (a) the identification number or code for the storage area; and
- (b) for dangerous goods of Packing Group I or Class 2.3 that are likely to be kept in the area—
  - (i) the proper shipping name of the dangerous goods that are assigned to a Class; and
  - (ii) the Class; and
  - (iii) the maximum quantity of each of the dangerous goods likely to be kept; and

- 
- (c) for goods too dangerous to be transported that are likely to be kept in the area—
    - (i) the name of the dangerous goods specified in Appendix A of the ADG Code; and
    - (ii) the statement "Goods too dangerous to be transported"; and
    - (iii) the maximum quantity of each of the dangerous goods likely to be kept; and
  - (d) for other dangerous goods that are likely to be kept in the area—
    - (i) for dangerous goods with an assigned Class—the Class for the dangerous goods; and
    - (ii) for C1 combustible liquids—the statement "Combustible Liquid"; and
    - (iii) in any case, the maximum quantity of each Class and the maximum quantity of C1 combustible liquids.

## **6 Dangerous goods in manufacture**

In relation to each area where dangerous goods are manufactured—

- (a) the identification number or code of the manufacturing area; and
- (b) for dangerous goods with an assigned Class—the Class of each type of dangerous goods and the maximum quantity of each Class; and
- (c) for goods too dangerous to be transported—the statement "Goods too dangerous to be transported" and the maximum quantity of those goods; and

- (d) for C1 combustible liquids—the statement "C1 combustible liquid" and the maximum quantity of C1 combustible liquids.

### **7 Dangerous goods in transit**

If, in relation to any dangerous goods in transit at the premises, there are dangerous goods transportation documents that comply with the ADG Code available for the goods, the information required by clauses 3, 4 and 5 may be provided in the form of a compilation of those transportation documents.

### **8 Plan of premises**

A plan of the premises that—

- (a) shows the location of—
- (i) the containers and other storages of dangerous goods in bulk referred to in clause 4; and
  - (ii) the storage areas for packaged dangerous goods and dangerous goods in IBCs referred to in clause 5; and
  - (iii) the areas referred to in clause 6 where dangerous goods are manufactured; and
- (b) includes a description in words of the location of—
- (i) the items referred to in paragraph (a); and
  - (ii) areas where dangerous goods in transit may be located; and
- (c) provides the identification number or code for the items referred to in paragraph (b); and
- (d) provides a legend for the identification numbers and codes referred to in paragraph (c); and

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- (e) shows the location of—
    - (i) the main entrance and the other points of entry to the premises; and
    - (ii) essential site services, including fire services and isolation points for fuel and power; and
    - (iii) the manifest; and
    - (iv) all drains on the site; and
  - (f) describes the nature of the occupancy of adjoining sites or premises.
-

## SCHEDULE 4

Regulations 47 and 48(3)

### PLACARDING REQUIREMENTS

#### 1 Outer warning placard

- (1) The outer warning placard required by regulation 47 must have—
  - (a) the form shown in Figure 1; and
  - (b) dimensions not less than those shown in Figure 1.
- (2) The placard must display the word "HAZCHEM" in red letters not less than 100 mm high and of the style shown in Figure 1, on a white or silver background.
- (3) For the purposes of subclause (2), *red* means the colour Signal Red in accordance with AS 2700S:2011 (R13).



*Figure 1—Form and dimensions of an outer warning placard*

#### 2 Placard for dangerous goods in bulk of Class 2.1, 2.2, 2.3, 3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1, 8 or 9

- (1) The placard required by regulation 48 for dangerous goods in bulk of Class 2.1, 2.2, 2.3, 3, 4.1, 4.2, 4.3, 5.1, 5.2, 6.1, 8 or 9 must, subject to clause 3(4), have—
  - (a) the form shown in Figure 2; and
  - (b) dimensions not less than those shown in Figure 2.

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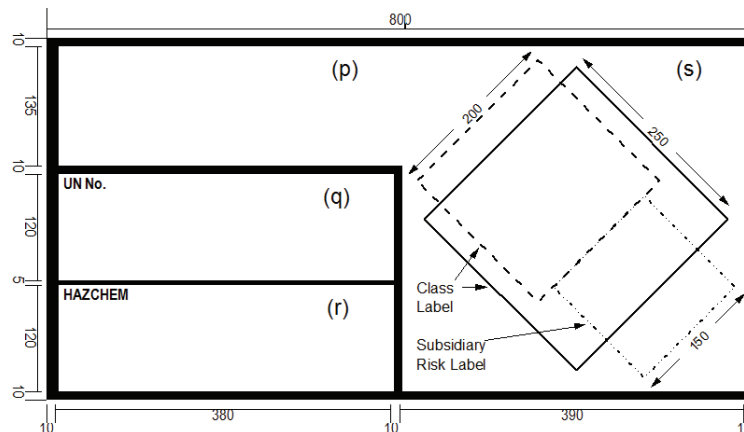
- 
- (2) The placard must contain the following information—
- (a) in space (p) in Figure 2, the proper shipping name; and
  - (b) in space (q) in Figure 2, the UN Number; and
  - (c) in space (r) in Figure 2, the Hazchem Code for the dangerous goods specified in the ADG Code; and
  - (d) in space (s) in Figure 2, the Class label and subsidiary risk label, if any.
- (3) For the purposes of subclause (2)(d)—
- (a) the Class label and the subsidiary risk label, if any, must have the form and colouring specified in the ADG Code; and
  - (b) if there is more than one subsidiary risk label, the width of the right hand portion of the placard may be extended.

**3 Placard for dangerous goods in bulk that are goods too dangerous to be transported**

- (1) The placard required by regulation 48 for dangerous goods in bulk that are goods too dangerous to be transported must, subject to subclause (4), have—
- (a) the form shown in Figure 2; and
  - (b) dimensions not less than those shown in Figure 2.
- (2) The placard must contain the following information—
- (a) in space (p) in Figure 2, the name for the goods specified in Appendix A of the ADG Code; and



- (b) space (q) in Figure 2 must be left blank; and
- (c) space (r) in Figure 2 must be left blank; and
- (d) in space (s) in Figure 2, the label specified in Figure 4.



**Figure 2—Template for a placard for dangerous goods (other than C1 combustible liquids) in bulk**

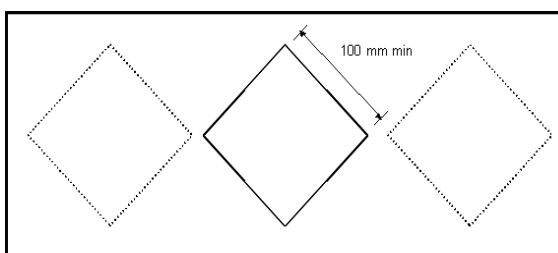
- (3) In relation to Figure 2, the numerals and letters used for showing the proper shipping name or name of the goods, UN Number and Hazchem Code must be—
  - (a) black on a white background, except where a letter of the Hazchem Code is white on a black background; and
  - (b) at least 100 mm high, except where the proper shipping name requires 2 lines to be used, in which case the lettering must be at least 50 mm high.
- (4) An Emergency Information Panel of a size and layout in accordance with the ADG Code for the dangerous goods that contains the information required by this clause or clause 2 may be used as a placard for a storage of dangerous goods in bulk instead of the placards referred to in subclause (1) or clause 2(1).

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#### **4 Placard for packaged dangerous goods other than C1 combustible liquids**

- (1) The placard required by regulation 48 for packaged goods other than C1 combustible liquids must have the form shown in Figure 3 and be of sufficient size to accommodate the labels to be displayed on it.
- (2) The placard must have a white or silver background.
- (3) The placard must display—
  - (a) for dangerous goods present in the storage area, other than goods too dangerous to be transported—
    - (i) the corresponding Class label for each Class of dangerous goods present in a quantity that exceeds the quantity specified in the column headed "Placarding Quantity" in the table in Schedule 2; and
    - (ii) if the total quantity of mixed Classes of dangerous goods exceeds the mixed Classes quantity specified in item 4 of the table in Schedule 2—
      - (A) a Class label for each Class of dangerous goods present that exceeds 50% of the quantity specified for the Class in items 1, 2 or 3 of the table; or
      - (B) if no other Class label is required, a mixed Class label; and
    - (iii) for C1 combustible liquids and fire risk dangerous goods in an aggregate quantity exceeding 1000 kg or L— a Class 3 Class label; and

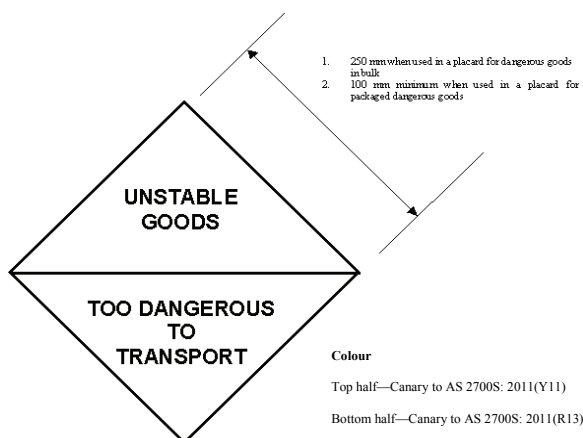
(b) for goods too dangerous to be transported present in the storage area, the label specified in Figure 4.



**Figure 3—Form and dimensions of a placard for storages of packaged dangerous goods**

**Note**

The Class label, mixed Class label and the label required by clause 4(3) must have sides at least 100 mm long.



**Figure 4—Form of a label for goods too dangerous to be transported**

**5 Placard for C1 combustible liquids (in bulk and in packages)**

A placard for C1 combustible liquids in bulk and in packages must display the words "COMBUSTIBLE LIQUID" as shown in Figure 5—in black letters in the style shown, not

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less than 100 mm high and on a white or silver background.



*Figure 5—Placard for C1 combustible liquids*

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**SCHEDULE 5**

Regulation 61(1)

**LIST OF DANGEROUS GOODS OF CLASS 2.2 NOT  
EXEMPTED FROM SECTION 32 OF THE ACT**

Dangerous goods from Class 2.2 that are not prescribed for the purposes of section 32(2)(a) of the Act—

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<i>UN No.</i>	<i>Description</i>
1003	AIR, REFRIGERATED LIQUID
1015	CARBON DIOXIDE AND NITROUS OXIDE MIXTURES
1014	CARBON DIOXIDE AND OXYGEN MIXTURES
1070	NITROUS OXIDE, COMPRESSED
2201	NITROUS OXIDE, REFRIGERATED LIQUID
1072	OXYGEN, COMPRESSED
1073	OXYGEN, REFRIGERATED LIQUID
1080	SULPHUR HEXAFLUORIDE

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## ENDNOTES

### 1. General Information

The Dangerous Goods (Storage and Handling) Regulations 2012, S.R. No. 132/2012 were made on 27 November 2012 by the Governor in Council under section 52 of the **Dangerous Goods Act 1985**, No. 10189/1985 and came into operation on 1 December 2012: regulation 3.

The Dangerous Goods (Storage and Handling) Regulations 2012 will sunset 10 years after the day of making on 27 November 2022 (see section 5 of the **Subordinate Legislation Act 1994**).

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## 2. Table of Amendments

There are no amendments made to the Dangerous Goods (Storage and Handling) Regulations 2012 by statutory rules, subordinate instruments and Acts.

Endnotes

### 3. Explanatory Details

<sup>1</sup> Reg. 4: S.R. No. 134/2011.

**Table of Applied, Adopted or Incorporated Matter**

The following table of applied, adopted or incorporated matter is included in accordance with the requirements of regulation 5 of the Subordinate Legislation Regulations 2004.

Statutory rule provision	Title of applied, adopted or incorporated document	Matter in applied, adopted or incorporated document
Regulation 5— definition of <i>Class label</i>	ADG Code	Part 5
Regulation 5— definition of <i>control temperature</i>	"Recommendations on the Transport of Dangerous Goods—Manual of Tests and Criteria", 5th Revised Edition, published by the United Nations in 2009, as amended from time to time ADG Code	The whole  Parts 2 and 4
Regulation 5— definition of <i>fire point</i>	AS 1940:2004	Clause 1.4.23
Regulation 5— definition of <i>flash point</i>	AS/NZS 2106	The whole



Dangerous Goods (Storage and Handling) Regulations 2012  
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<b>Statutory rule provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 5— definition of <b><i>GHS</i></b>	Globally Harmonized System of Classification and Labelling of Chemicals, Third revised edition, published by the United Nations; Globally Harmonized System of Classification and Labelling of Chemicals, Fourth revised edition, published by the United Nations.	The whole
Regulation 5— definition of <b><i>hazardous area</i></b>	AS/NZS 60079.10.1:2009	The whole
Regulation 5— definition of <b><i>proper shipping name</i></b>	ADG Code	Parts 2 and 3
Regulation 5— definition of <b><i>subsidiary risk label</i></b>	ADG Code	Chapter 5.2 of Part 5
Regulation 5— definition of <b><i>UN Number</i></b> , or <b><i>UN No.</i></b>	ADG Code	Clause 2.0.2 and Part 3
Regulation 13(2)(a)(ii)	AS 1940:2004	Clause 1.4.9
Regulation 19(2)(f)	ADG Code	Appendix A
Regulation 39(2)(b)(i)	Hazardous Substances Information System (HSIS) published by Safe Work Australia on its Internet site, as amended from time to time	The whole
Regulation 48(2)(a)	ADG Code	Part 5

Dangerous Goods (Storage and Handling) Regulations 2012  
S.R. No. 132/2012

<b>Statutory rule provision</b>	<b>Title of applied, adopted or incorporated document</b>	<b>Matter in applied, adopted or incorporated document</b>
Regulation 60(2)	ADG Code	Part 5
Schedule 3, clause 4(2)(c)	ADG Code	Appendix A
Schedule 3, clause 5(c)(i)	ADG Code	Appendix A
Schedule 3, clause 7	ADG Code	Part 11
Schedule 4, clause 1(3)	AS 2700S:2011 (R13)	The whole
Schedule 4, clause 3(4)	ADG Code	Chapter 5.3 of Part 5
Schedule 4—text attached to Figure 4	AS 2700S:2011 (R13) AS 2700S:2011 (Y11)	The whole The whole