



Victoria Government Gazette

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Subordinate Legislation Act 1994

PROPOSED DANGEROUS GOODS (EXPLOSIVES) REGULATIONS 2022

Notice of Preparation of Regulatory Impact Statement

Notice is given that, in accordance with section 11 of the **Subordinate Legislation Act 1994**, a Regulatory Impact Statement (RIS) has been prepared in relation to the proposed Dangerous Goods (Explosives) Regulations 2022 (proposed Regulations).

Copies of the proposed Regulations and RIS will be available for public review and comment from Tuesday 22 February 2022. The closing date for submissions is close of business, Monday 21 March 2022.

The proposed Regulations will replace the Dangerous Goods (Explosives) Interim Regulations 2021 (current Regulations), which sunset on 19 June 2022.

The primary objectives of the current Regulations and the proposed Regulations are to reduce the risk of explosive incidents and resulting death, injury and property damage, and to promote security by reducing the accessibility of explosives to those who might intentionally misuse them.

The proposed Regulations aim to support the objectives set out by the **Dangerous Goods Act 1985** by prescribing duty holders' obligations for ensuring the safety of people and property in relation to:

- the manufacture, storage, sale, transport, use, disposal and import of explosives;
- the management of security risks associated with explosives and ensuring incidents are reported immediately;
- the safe location of vessels containing explosive while in port; and
- prohibiting the misuse of explosives.

The costs and benefits of the proposed Regulations are considered in the RIS, which has been prepared by Deloitte Access Economics.

It is important to note that the remaking of the current Regulations is being undertaken concurrently with a broader and comprehensive independent review of the **Dangerous Goods Act 1985** and all associated regulations ('the Review'). The Review may give rise to material amendments to the regulatory framework in the near future. As such, the RIS only considers the option of maintaining the current Regulations with minor updates. Alternative feasible options are not being considered by WorkSafe so as to mitigate unnecessary logistical burden on industry and government that would result from multiple material changes to the regulatory framework within a short period of time.

As such, the changes to the proposed Regulations are limited to updating definitions, modernising language and drafting style, and aligning the regulations with current industry practice. WorkSafe have also clarified language relating to the explosives licence types prescribed under the proposed Regulations and increased transparency in the process approvals by WorkSafe. The proposed changes are intended to promote ease of compliance and do not alter any current duty holder responsibilities or licences.

The proposed Regulations present a cost to individuals and duty holders wishing to interact with explosives in that they must expend time, money and resources to meet obligations as well as fulfil licensing requirements. The RIS provides an estimate of these costs on a yearly basis, based on the best available data regarding the number of current licence-holders and a range of credible and conservative assumptions. These costs are offset by savings from the prevention of injuries caused by explosives incidents.

Public comment is invited on the proposed Regulations and RIS.

Please note, all submissions will be treated as public documents and will appear online unless clearly identified as being confidential.

SPECIAL

Comments should be received by WorkSafe by no later than the close of business on Monday 21 March 2022. Submissions may be lodged electronically using an online form, by email or via post.

Electronic copies of the proposed Regulations and RIS can be obtained from the Victorian Government's engage website: engage.vic.gov.au/dangerous-goods-explosives-regulations-2022, from the WorkSafe Advisory Service on 1800 136 089 (toll-free) or via email: legislation@worksafe.vic.gov.au

INGRID STITT MP
Minister for Workplace Safety

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