



# Victoria Government Gazette

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## Subordinate Legislation Act 1994

(Section 12)

### NOTICE OF DECISION

#### Dangerous Goods (Explosives) Regulations 2022

I, Ingrid Stitt, Minister for Workplace Safety, and Minister responsible for administering the **Dangerous Goods Act 1985**, give notice under section 12 of the **Subordinate Legislation Act 1994** (SL Act) of my decision to make the proposed Dangerous Goods (Explosives) Regulations 2022 (the proposed Explosives Regulations).

The proposed Regulations will replace the Dangerous Goods (Explosives) Interim Regulations 2021 (Interim Regulations).

The primary objectives of the current Regulations and the proposed Explosives 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 Explosives 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
- prohibiting the misuse of explosives.

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Regulations and was made available for public consultation and comment from 22 February 2022 until 21 March 2022 on the Engage Victoria website, [engage.vic.gov.au](http://engage.vic.gov.au). A notice of the public comment period was published in the Victoria Government Gazette and Herald Sun newspaper on 22 February 2022.

In response to the RIS and the proposed Explosives Regulations, WorkSafe Victoria (WorkSafe) received six submissions from duty holders, industry peak bodies and emergency services, and all submissions were considered. The key issues raised related to:

- the inclusion of a new duty to dispose of expired explosives, which was not supported by peak industry bodies
- general feedback about possible ways to streamline the licence renewal and application approval process
- expanding consultation requirements to emergency authorities
- aligning licencing requirements for high consequence dangerous goods and explosives to reduce the burden on duty holders.

After consideration of the submissions received in accordance with section 11 of the SL Act, and further information from WorkSafe and key stakeholders, I have decided that the proposed Explosives Regulations should be made with minor amendments. These are to:

- remove the new duty to dispose of expired explosives
- clarify the definition of pyrotechnician and add a new definition for 'licence to use fireworks' to align with other licence types
- reinstate a requirement for WorkSafe to provide a copy of 'Part 15 – Review of decisions' with any written notice it provides to an eligible person for any reviewable decision.

**SPECIAL**

A response to public comment, with further detail about the submissions received and WorkSafe's response to these, will be made publicly available at [www.worksafe.vic.gov.au](http://www.worksafe.vic.gov.au)

Dated 26 May 2022

INGRID STITT MP  
Minister for Workplace Safety

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