

# EXPLOSIVES AND DANGEROUS GOODS.

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No. 68 of 1984.

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AN ACT to amend the Explosives and Dangerous  
Goods Act 1961-1981.

[Assented to 5 November 1984.]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and the Legislative Assembly of Western Australia, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the *Explosives and Dangerous Goods Amendment Act 1984*.

Short title  
and citation.

(2) In this Act the Explosives and Dangerous Goods Act 1961-1981 is referred to as the principal Act.

Reprinted as  
approved 5  
September  
1979 and  
amended by  
Act No. 58 of  
1981.

(3) The principal Act as amended by this Act may be cited as the Explosives and Dangerous Goods Act 1961-1984.

Section 2  
repealed.

2. Section 2 of the principal Act is repealed.

Section 46C  
inserted.

3. After section 46B of the principal Act the following section is inserted—

Licensing of  
drivers.

“ 46C. (1) Regulations may provide for the licensing by the Chief Inspector of the drivers of vehicles, or vehicles of a prescribed kind, carrying dangerous goods or dangerous goods of a prescribed kind or in a prescribed quantity, and prohibit the driving of such a vehicle by a person who does not hold an appropriate driver’s licence issued under this Act.

(2) The Chief Inspector may refuse to issue a licence for the purposes of this section, or issue such a licence subject to such terms and conditions as he may see fit to impose, in the interests of public safety, and may, for the purpose of making any decision relating to licensing, have regard to whether a person has undergone a course of training approved by the Chief Inspector and attained a certificate or other evidence of proficiency recognized by the Chief Inspector.

(3) A driver’s licence issued under this Act does not affect the requirement to obtain and hold an appropriate driver’s licence under the Road Traffic Act 1974 and the holding of a licence under that Act does not affect a requirement to hold a driver’s licence under this Act. ”.

Section 61  
amended.

4. Section 61 of the principal Act is amended—

(a) by inserting after the section designation “61.” the subsection designation “(1)”; and

(b) by inserting the following subsection—

“ (2) In a prosecution for an offence against this Act an averment in the complaint to the effect that, in relation to any matter the subject of the complaint, a licence or permit was not held or an approval or other authorization had not been given is deemed to be proved in the absence of proof to the contrary. ”.

5. Section 62 of the principal Act is amended by inserting after subsection (4) the following subsection—

Section 62  
amended.

“ (5) The Chief Inspector may, in writing, exempt persons or things, or classes of persons or things, from the provisions of the regulations, or any of them, and any such exemption may be absolute or conditional, may be limited according to time, place, or circumstance, and may be subsequently varied or revoked in writing by the Chief Inspector. ”.

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