

WESTERN AUSTRALIA

EXPLOSIVES AND DANGEROUS GOODS AMENDMENT ACT

No. 32 of 1986

AN ACT to amend section 61 of the *Explosives and Dangerous Goods Act 1961*.

[Assented to 31 July 1986]

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:—

Short title

1. This Act may be cited as the *Explosives and Dangerous Goods Amendment Act 1986*.

Section 61 amended

2. Section 61 of the *Explosives and Dangerous Goods Act 1961** is amended by repealing subsection (2) and substituting the following subsection—

- “ (2) In a prosecution for an offence against this Act—
- (a) 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; and
 - (b) proof that a container was at a particular time labelled, branded or marked as containing particular explosives or dangerous goods shall be deemed to be proof also, unless the contrary is proved, that the container contained those explosives or dangerous goods at that time. ”.

[*Reprinted as approved 5 September 1979 and amended by Acts Nos. 58 of 1981 and 68 of 1984.]
