



REGISTRABLE PREMISES CHECKLIST

Dangerous Substances Act 2004 and Dangerous Substance (General) Regulation 2004

C = Compliant

NC = Non-Compliant

N/A = Not Applicable

REA = Recommended Enforcement Action

Dr Not No	Inspection Checklist	How met?	C	NC	N/A	REA
RP-1	REGISTER OF DANGEROUS SUBSTANCES 249 Is a register kept for dangerous substances handled at the premises? (DS (Gen) Reg 2004 Section 249)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
	PLACARD QUANTITY Sch 1 Is there or likely to be, a dangerous substance in at least the placard quantity? (DS (Gen) Reg 2004 Schedule 1) Some examples of placard quantities are found in the attached table If yes go directly to for Registrable premises		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
RP-3	SAFETY DATA SHEETS 248 Do you have a Safety Data Sheet/Material Safety Data Sheet for each dangerous substance listed in the register? (DS (Gen) Reg 2004 Section 248)		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
	KEEPING SAFETY DATA SHEETS Does not apply If the substance in transit, or handled (or to be handled) at a retail outlet or warehouse in packaged form, is correctly packed and labelled and sold (or to be sold) unopened and the person does not have SDS's then alternative information must be readily accessible at the premises. (DS (Gen) Reg 2004 Section 297)					
SAFETY MANAGEMENT SYSTEM						
RP-4	SAFETY MANAGEMENT SYSTEM S19 & S220 Has a safety management system for handling the dangerous substances been prepared and documented in accordance with Part 2.3 of the Gen Reg?		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
	SMS – HAZARD IDENTIFICATION S19 & S221 In identifying the hazards, has the person in control considered the information in the safety data sheet for the substance? (DS (Gen) Reg 2004 Section 221(2)(a))		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
RP-6	SMS - HAZARD IDENTIFICATION S19 & S221 In identifying the hazards, has the person in control considered any other information known to the person about the hazardous properties of the substance? (DS (Gen) Reg 2004 Section 221(2)(a))		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
	SMS - HAZARD IDENTIFICATION S19 & S221 In identifying the hazards, has the person in control considered (b) any structures, plant, and systems that are not used to handle the substance, but that could interact with the substance at the premises; (c) any manufacturing and transport processes involving the substance at the premises; (d) the physical location and arrangement of areas, structures and safety and health systems at the premises;		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P



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	<p>(e) any incidents involving the substance—</p> <p>(i) that have happened at the premises; or</p> <p>(ii) that may reasonably be expected to be known to the person.</p> <p>Examples for par (e) (ii)</p> <p>1 an incident that happened at other premises while the person was in control of those premises</p> <p>2 an incident described in an occupational health and safety alert bulletin sent to the premises, or to other premises, while the person was in control of the premises or other premises</p> <p><i>Note</i>An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).</p> <p>(3) A person in control of registrable premises where there is a dangerous substance must take all reasonable steps to find out about the hazardous properties of the substance.</p> <p>(DS (Gen) Reg 2004 Section 221(2)(a))</p>					
RP8	<p><u>SMS – RISK ASSESSMENT 222</u> Making</p> <p>(1) If a hazard associated with a dangerous substance is identified at registrable premises, a person in control of the premises must ensure that—</p> <p>(a) a written assessment is made of the risks associated with the hazard (a risk assessment) in accordance with subsection (2); and</p> <p>(b) a dated copy of the risk assessment is kept at the premises.</p> <p><i>Note</i> If a person stops being in control of registrable premises, the copy of the risk assessment must continue to be kept at the premises (see s 250 (Records—change of person in control)).</p> <p>(2) The person in control of the premises must, in the risk assessment, state the methods considered, and those used, to control the risks associated with the hazard.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
RP9	<p><u>SMS – RISK ASSESSMENT 223</u> Availability</p> <p>(1) This section applies if a risk assessment has been made for a hazard at registrable premises.</p> <p>(2) A person in control of the premises must ensure that a copy of the risk assessment, as amended after any review under this part, is made available to anyone likely to be exposed to the hazard while working at the premises.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P



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RP10	<p>SMS – RISK ASSESSMENT 224</p> <p>Regular review</p> <p>(1) This section applies if—</p> <p>(a) a risk assessment has been made for a hazard associated with a dangerous substance at registrable premises; and</p> <p>(b) either—</p> <p>(i) there is a significant change to a process, system or procedure in relation to the handling of the substance at the premises; or</p> <p>(ii) there is evidence to indicate that the risk assessment no longer adequately assesses the risk associated with the hazard.</p> <p>(2) A person in control of the premises must ensure that—</p> <p>(a) the risk assessment for the hazard at the premises is reviewed; and</p> <p>(b) a dated record of the review is kept at the premises; and</p> <p>(c) if the review results in an amendment to the risk assessment—a copy of the risk assessment as amended, indicating the date of amendment, is kept at the premises.</p> <p><i>Note</i> If a person stops being in control of registrable premises, the record of the review and (if applicable) the copy of the amended risk assessment must continue to be kept at the premises (see s 250 (Records—change of person in control)).</p>					C
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I
						P
RP11	<p>SMS – RISK ASSESSMENT 225</p> <p>5-year review</p> <p>(1) This section applies if a risk assessment has been made for a hazard at registrable premises.</p> <p>(2) A person in control of the premises must ensure that—</p> <p>(a) the risk assessment for the premises is reviewed within—</p> <p>(i) 5 years after the day it was made; or</p> <p>(ii) if it has been reviewed after it was made (including a review under this section)—5 years after the day the dated record was made of its last review; and</p> <p>(b) a dated record of the review is kept at the premises; and</p> <p>(c) if the review results in an amendment to the risk assessment—a copy of the risk assessment as amended, indicating the date of amendment, is kept at the premises.</p> <p><i>Note</i> If a person stops being in control of registrable premises, the record of the review and (if applicable) the copy of the amended risk assessment must continue to be kept at the premises (see s 250 (Records—change of person in control)).</p>					C
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I
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RP12	<p>SMS – CONSULTATION WITH EMPLOYEES 226</p> <p>(1)A person in control of registrable premises must consult with the following people about the matters mentioned in subsection (2):</p> <p>(a)the employees;</p> <p>(b)any work safety representative of the employees.</p> <p>(2)For subsection (1), the consultation must be about the following:</p> <p>(a)induction, training, information provision, hazard identification, risk assessment and risk control in relation to the substance;</p> <p>(b)any proposed changes to structures, plant, processes or systems of work that are likely to increase the risk to the employees consulted.</p> <p>(3)In this section:</p> <p>employee, in relation to registrable premises, means an individual employed under a contract of service to work at the premises.</p>					C
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I
						P
RP13	<p>SMS – SUBSTITUTION AND REDUCTION 227</p> <p>To eliminate the hazards associated with handling a dangerous substance at registrable premises, or to minimise the risks associated with the hazards, a person in control of the premises must consider both of the following:</p> <p>(a) substituting an alternative substance (whether or not the substance is a dangerous substance) that has a lower risk associated with its handling;</p> <p>(b) reducing the quantity of the substance that is handled at the premises</p>					C
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I
						P
RP14	<p>SMS – RISK CONTROL - ISOLATION 228</p> <p>(1) A person in control of registrable premises must ensure that the risk to people or property outside the premises from any dangerous occurrence resulting from the handling at the premises of a dangerous substance—</p> <p>(a) is eliminated; or</p> <p>(b) if it is not practicable to eliminate the risk—is reduced as far as practicable by the physical separation of the substance from the people or property by distance or physical barriers, or both.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p>					C
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I
						P



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RP15	<p><u>SMS – RISK CONTROL STABILITY 229</u></p> <p>(1) A person in control of registrable premises must ensure that a dangerous substance handled at the premises does not become unstable, decompose or change so as to—</p> <p style="margin-left: 20px;">(a) create a hazard that is different from the hazard originally created by the substance; or</p> <p style="margin-left: 20px;">(b) increase the risk associated with any hazard in relation to the substance.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) A person in control of registrable premises must ensure that—</p> <p style="margin-left: 20px;">(a) if the stability of a dangerous substance handled at the premises is dependent on the maintenance of levels of stabilisers—the levels are maintained as stated by the manufacturer of the goods; and</p> <p style="margin-left: 20px;">(b) if a dangerous substance is required to be stored at the premises below a particular control temperature stated by the manufacturer—the substance is stored below that temperature.</p> <p>Example for par (b)</p> <p>Organic peroxides are dangerous substances. Their manufacturer states in the SDS for the substances that they must be stored below their self-accelerating decomposition temperature. A person in control of the premises must ensure that they are stored at a temperature below their self-accelerating decomposition temperature.</p> <p>Maximum penalty: 30 penalty units.</p> <p><i>Note</i> An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).</p> <p>(3) An offence against this section is a strict liability offence.</p> <p>(4) This section does not apply to a dangerous substance if the substance is about to be used in a manufacturing process.</p> <p>(5) In this section:</p> <p><i>stabiliser</i>, in relation to a dangerous substance, means a substance added to, or present in, the substance to overcome chemical instability inherent in the substance.</p> <p>Examples of stabilisers</p> <ol style="list-style-type: none"> 1 diluents 2 inhibitors 3 desensitisers 4 phlegmatisers 5 solvents 6 wetting agents 7 adulterants 					C
				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
						P



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RP16	<p><u>SMS – RISK CONTROL 230</u></p> <p>Preventing interaction with other substances</p> <p>(1) A person in control of registrable premises must ensure that a dangerous substance at the premises that is not compatible with another substance at the premises (including another dangerous substance) is stored separately from the other substance.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C
						I
						P
RP17	<p><u>SMS – RISK CONTROL 231</u></p> <p>Preventing contamination of food or personal products</p> <p>(1) A person in control of registrable premises must ensure that a dangerous substance is not handled at the premises so as to contaminate food, food packaging or personal use products.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C
						I
						P
RP18	<p><u>SMS – RISK CONTROL 232</u></p> <p>Tanks for bulk dangerous substances</p> <p>(1) A person in control of registrable premises where a dangerous substance is stored in a tank must ensure that—</p> <p>(a) the tank and any associated pipework have stable foundations and supports; and</p> <p>(b) any pipework or equipment connected to the tank is installed so as to prevent excessive stress on the tank, pipework or equipment; and</p> <p>(c) the tank and its associated pipework are protected from corrosion; and</p> <p>(d) the tank and its associated pipework are inspected at intervals that are sufficient to ensure their integrity and serviceability.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) A person in control of the premises must ensure that—</p> <p>(a) an inspection mentioned in subsection (1) (d) is recorded;</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C
						I



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	<p>and</p> <p>(b) a record of all inspections of the tank and its associated pipework is kept at the premises while the tank remains in service on the premises.</p> <p>Maximum penalty: 30 penalty units.</p> <p><i>Note</i> If a person stops being in control of registrable premises, the record must continue to be kept at the premises (see s 250 (Records—change of person in control)).</p> <p>(3) An offence against this section is a strict liability offence.</p>					P
RP19	<p><u>SMS – RISK CONTROL 233</u> Decommissioning</p> <p>(1) This section applies if a container used to store a dangerous substance at registrable premises—</p> <p>(a) is to be disposed of; or</p> <p>(b) is no longer to be used in association with the substance.</p> <p>(2) A person in control of the premises must ensure that—</p> <p>(a) the container is thoroughly cleaned so that the container is in the condition it would be in if it had never contained the substance; and</p> <p>(b) if the dangerous substance is a gas or volatile liquid—the concentration (calculated as the time-weighted average over 8 hours) of the gas or vapour in the atmosphere of the container is less than the concentration listed in the National Exposure Standards for the substance; and</p> <p>(c) if the dangerous substance is of class 2.1 or 3 or subsidiary risk 3 (including a gas or a volatile liquid)—the concentration of the substance (including the vapours of the substance) in the atmosphere in the container is less than 5% of the lower explosive limit for the substance when sampled at ambient temperature.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(3) An offence against subsection (2) is a strict liability offence.</p> <p><i>Note</i> Section 284 (Non-registrable premises—decommissioning) imposes a similar requirement for non-registrable premises</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
RP20	<p><u>SMS – RISK CONTROL 234</u> Protection from impact</p> <p>(1) A person in control of registrable premises must ensure that any plant at the premises associated with the handling of a dangerous substance is, as far as practicable, protected against damage from impact with vehicles, or any other plant, at the premises.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p> <p><i>Note</i> Plant is defined in the Act, dict to include (among other</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P



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	things) a container or vehicle used for handling dangerous substances.					
RP21	<p><u>SMS – RISK CONTROL 235</u> personal protective or safety equipment</p> <p>(2) The person in control of the premises must ensure that the exposed person is required to use the equipment while the person is (or may be) exposed to the dangerous substance at the premises.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(3) The person in control of the premises must ensure that the equipment available for use by an exposed person while the exposed person is (or may be) exposed to the substance is—</p> <p>(a) suitable for that use; and</p> <p>(b) undamaged and effective; and</p> <p>(c) maintained in a suitable condition for that use.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(4) A person must not engage in conduct that damages or makes ineffective any personal protective or safety equipment provided at the premises.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(5) An offence against subsection (2) or (3) is a strict liability offence.</p>				C	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I
						P
RP22	<p><u>SMS – RISK CONTROL 236</u> Lighting</p> <p>(1) A person in control of registrable premises must ensure that sufficient and suitable lighting is provided to enable safe access within, to and from each part of the premises where a dangerous substance is handled.</p> <p>Maximum penalty: 20 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p> <p><i>Note</i>Section 286 (Non-registrable premises—lighting) imposes the same requirement for non-registrable premises.</p>				C	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I
						P
RP23	<p><u>SMS – RISK CONTROL 237</u> Access</p> <p>(1) A person in control of registrable premises must ensure that safe means of access within, to and from each part of the premises where a dangerous substance is handled is provided and maintained.</p> <p>Maximum penalty: 20 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p>				C	
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	I
						P



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RP24	<p>SMS – RISK CONTROL 238</p> <p>Security</p> <p>(1) This section applies if a person (the unauthorised person) is not authorised by a person in control of registrable premises to have access to a dangerous substance handled at the premises.</p> <p>(2) A person in control of the premises must ensure that the unauthorised person does not have access to the substance.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(3) An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C
						I
RP25	<p>SMS – RISK CONTROL 239</p> <p>Spill containment</p> <p>(1) A person in control of registrable premises must ensure that, in each area of the premises where a dangerous substance is handled, provision is made for a spill containment system that—</p> <p>(a) eliminates the risk from any spill or leak of the substance or, if it is not practicable to eliminate the risk, minimises the risk; and</p> <p>(b) would contain within the premises any part of the substance that spills or leaks, and any effluent arising from a spill or leak.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) A person in control of registrable premises must ensure that the spill containment system for a tank containing a dangerous substance would not create a hazard by bringing together different kinds of dangerous substances that are not compatible.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(3) If there is a spill or leak of a dangerous substance at registrable premises, a person in control of the premises must ensure that—</p> <p>(a) immediate action is taken to eliminate any risk associated with the spill or leak or, if it is not practicable to eliminate the risk, minimise the risk; and</p> <p>(b) the substance and any resulting effluent are, as soon as practicable—</p> <p>(i) cleaned up and disposed of; or</p> <p>(ii) otherwise made safe.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(4) An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C
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	<p>1 neutralisers 2 decontaminants 3 pressure relief valves.</p> <p><i>Note</i> An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).</p> <p>(2) An offence against this section is a strict liability offence.</p>					P
RP28	<p>SMS – RISK CONTROL 242 Ignition sources</p> <p>(1) A person in control of registrable premises must ensure that—</p> <p>(a) ignition sources in a hazardous area at the premises are eliminated; or</p> <p>(b) if it is not reasonably practicable to eliminate the sources— the risk from the sources is minimised.</p> <p>Maximum penalty: 25 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p> <p>(3) In this section:</p> <p>hazardous area means an area—</p> <p>(a) classified as hazardous under either of the following standards:</p> <p>(i) AS/NZS 2430.3 (Classification of hazardous areas);</p> <p>(ii) AS/NZS 60079.10 (Electrical apparatus for explosive gas atmospheres—classification of hazardous areas); or</p> <p>(b) classified under AS/NZS 61241.3 (Electrical apparatus for use in the presence of combustible dust—classification of areas where combustible dusts are or may be present) as an area where combustible dusts are or may be present.</p> <p><i>Note</i> Section 292 (Non-registrable premises—ignition sources) imposes the same requirement for non-registrable premises.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
RP29	<p>SMS – RISK CONTROL 243 Ventilation and atmospheric emissions</p> <p>(1) A person in control of registrable premises must ensure that any risk associated with atmospheric conditions that are flammable, explosive or asphyxiant—</p> <p>(a) is eliminated; or</p> <p>(b) if it is not practicable to eliminate the risk—is minimised.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P



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RP30	<p>SMS – RISK CONTROL 244</p> <p>Fire protection</p> <p>(1) A person in control of registrable premises must ensure that—</p> <p>(a) each area of the premises where a dangerous substance is handled is provided with a fire protection system that—</p> <p>(i) is designed and constructed for the substance in the quantities in which it is handled at the premises, and the conditions under which it is handled; and</p> <p>(ii) uses firefighting methods adapted for the substance and effective in the control of incidents involving the substance in the quantities in which it is handled at the premises; and</p> <p>(b) the fire protection system is—</p> <p>(i) properly installed, tested and maintained; and</p> <p>(ii) accessible at all times to people at the premises and to the emergency services; and</p> <p>(c) a dated written record is kept of the testing results and maintenance; and</p> <p>(d) fire hydrants and fire hose coupling points at the premises that may be used by the fire brigade or rural fire service are suitable for use by the brigade or service.</p> <p>Maximum penalty: 30 penalty units.</p> <p><i>Note</i> If a person stops being in control of registrable premises, the testing and maintenance record must continue to be kept at the premises (see s 250 (Records—change of person in control)).</p> <p>(2) If a part of a fire protection system provided at premises for subsection (1) becomes unserviceable or inoperative, a person in control of the premises must ensure that—</p> <p>(a) the implications of the part being unserviceable or inoperative are assessed; and</p> <p>(b) for risks that were eliminated or minimised by the system when functioning fully, alternative measures are taken in compliance with subsection (3)—</p> <p>(i) to eliminate the risks; or</p> <p>(ii) if it is not practicable to eliminate the risks—to minimise the risks.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C
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	<p>Maximum penalty: 30 penalty units.</p> <p>(3) For subsection (2), the person in control of the premises must, to the extent necessary to eliminate or minimise the risks mentioned in subsection (2) (b)—</p> <p>(a) provide alternative fire protection measures; and</p> <p>(b) reduce the quantity of the dangerous substance handled at the premises; and</p> <p>(c) stop or limit the processes used for handling the dangerous substance; and</p> <p>(d) change systems of work used to handle the dangerous substance.</p> <p>(4) If a part of a fire protection system provided at premises for subsection (1) becomes unserviceable or inoperative, a person in control of the premises must ensure that the system is returned to full operation as soon as practicable.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(5) An offence against this section is a strict liability offence.</p>					P
RP31	<p><u>INFORMATION 245</u></p> <p>Information for substance handlers</p> <p>(1) This section applies to—</p> <p>(a) a person in control of registrable premises (the person in control) in relation to the handling of a dangerous substance at the premises; and</p> <p>(b) someone else (the handler) who carries out, or is to carry out, tasks involving the handling of the substance (handling tasks) at the premises.</p> <p>(2) The person in control must ensure that the handler is given induction, information, training and supervision that is—</p> <p>(a) in a language and way appropriate to the handler; and</p> <p>(b) relevant to the handling tasks and the associated risks.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(3) The person in control must ensure that the induction, information and training given under subsection (2) includes instruction about—</p> <p>(a) the nature of the hazards and properties of the dangerous substance, and the processes used for identifying, assessing and eliminating or reducing the risks associated with the hazards that are relevant to the handling tasks; and</p> <p>(b) the purpose, use and maintenance of measures for eliminating or reducing the risks; and</p> <p>(c) the systems of work and the conduct of people at the premises to the extent that the systems or conduct may affect the safe handling of dangerous goods; and</p> <p>(d) the operation of any emergency plans for the premises and any procedures and equipment that may be needed for</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P



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	<p>use if there is a dangerous occurrence at the premises; and</p> <p>(e) the proper use and fitting of personal protective or safety equipment.</p> <p>Maximum penalty: 30 penalty units.</p> <p><i>Note 1</i> Emergency plans are required for manifest quantity registrable premises (see div 2.8.2).</p> <p><i>Note 2</i> Under s 276 (Emergency plan—instruction for employee representatives and neighbouring occupiers), work safety representatives of employees at the premises must also be given information about emergency plans.</p> <p><i>Note 3</i> Under s 277 (Emergency plan—review as necessary) and s 278 (Emergency plan—5-year review), substance handlers, work safety representatives of employees at the premises, neighbouring occupiers and the emergency services must be consulted about the review of emergency plans.</p> <p>(4) The person in control must ensure that a record of induction, information, training and supervision given under this section is made and kept for at least 5 years after the day the record is made.</p> <p>Maximum penalty: 30 penalty units.</p> <p><i>Note</i> If a person stops being in control of registrable premises, the record must continue to be kept at the premises (see s 250 (Records—change of person in control)).</p> <p>(5) If, within 5 years after a record is made under subsection (4), dangerous substances stop being handled at the premises, a person in control of the premises immediately before the substances stopped being handled at the premises must keep the record until the end of the 5-year period.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(6) If, after dangerous substances stop being handled at premises, a person holds a record under subsection (5) in relation to the premises, the person must, if an inspector asks within the 5-year period mentioned in subsection (5), give the inspector a copy of the record.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(7) An offence against this section is a strict liability offence.</p> <p><i>Note</i> Section 294 (Non-registrable premises—information for substance handlers) imposes similar requirements for non-registrable premises.</p>					
RP32	INFORMATION for PLANT USERS 246		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C



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Dr Not No	Inspection Checklist	How met?	C	NC	N/A	REA
	<ul style="list-style-type: none"> <input type="checkbox"/> section 222 (1) (b) (Risk assessment—making) <input type="checkbox"/> section 224 (2) (b) or (c) (Risk assessment—regular review) <input type="checkbox"/> section 225 (2) (b) or (c) (Risk assessment—5-year review) <input type="checkbox"/> section 232 (2) (b) (Tanks for bulk dangerous substances) <input type="checkbox"/> section 244 (Fire protection) (1) (b) (i) <input type="checkbox"/> section 245 (4) (Information for substance holders) <input type="checkbox"/> section 268 (Records of actual and likely dangerous occurrences—Act, s 216 (1) (m)) <input type="checkbox"/> section 275 (Emergency plan—making) <input type="checkbox"/> section 277 (Emergency plan—review as necessary) <input type="checkbox"/> section 278 (Emergency plan—5-year review) <input type="checkbox"/> section 267 (2) (Registration—amendment or cancellation). <p>(3) The departing controller must ensure that any documents to which subsection (2) applies remain at the premises when the departing controller stops being a person in control of the premises.</p> <p>Maximum penalty: 20 penalty units.</p> <p>(4) A person in control of the premises at any time after the departing controller stops being a person in control of the premises must ensure that subsection (2) is complied with.</p> <p>Maximum penalty: 20 penalty units.</p> <p>(5) An offence against this section is a strict liability offence.</p>					<p>I</p> <p>P</p>
RP36	<p><u>LABELS 251</u> Incorrectly labelled packages</p> <p>A person in control of registrable premises commits an offence if—</p> <p>(a) the person receives, and accepts, a package at the premises; and</p> <p>(b) the person knows, or ought reasonably to know—</p> <p>(i) that the package contains a dangerous substance; and</p> <p>(ii) that the package is not correctly labelled; and</p> <p>(c) the person fails to ensure that—</p> <p>(i) the labelling on the package is corrected; or</p> <p>(ii) the package is relabelled correctly.</p> <p>Maximum penalty: 30 penalty units.</p> <p><i>Note 1</i> See s 213 (Correct labelling—Act, s 14).</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<p>C</p> <p>I</p> <p>P</p>



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Dr Not No	Inspection Checklist	How met?	C	NC	N/A	REA
RP37	<p><u>LABELS 252</u></p> <p>Labelling and removing labelling from packages</p> <p>(1) A person in control of registrable premises must ensure that, while a package of a dangerous substance is at the premises—</p> <p>(a) the package is correctly labelled; and</p> <p>(b) the label is not removed, and remains legible.</p> <p>Maximum penalty: 20 penalty units.</p> <p><i>Note</i> See s 213 (<i>Correct labelling—Act, s 14</i>).</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C
	<p>(2) A person in control of registrable premises must ensure that packaging labelled to indicate that it contains a dangerous substance of a particular kind is not used to contain—</p> <p>(a) a dangerous substance of a different kind; or</p> <p>(b) any other substance.</p> <p>Maximum penalty: 20 penalty units.</p> <p>(3) An offence against this section is a strict liability offence.</p>					I
	<p>(3) An offence against this section is a strict liability offence.</p>					P
RP38	<p><u>LABELS 253</u></p> <p>Labelling portable containers</p> <p>(1) If a dangerous substance is transferred into a portable container for use at registrable premises, the person in control of the premises must ensure that—</p> <p>(a) the portable container is clearly labelled with the class label, subsidiary risk label and product name of the substance; or</p> <p>(b) if it is not possible to label the portable container under paragraph (a)—the substance is otherwise clearly identified.</p> <p>Maximum penalty: 25 penalty units.</p> <p>(2) Subsection (1) does not apply if—</p> <p>(a) the dangerous substance is used immediately; and</p> <p>(b) the container is thoroughly cleaned so that the container is in the condition it would be in if it had never contained the substance.</p> <p>(3) An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C
	<p>(3) An offence against this section is a strict liability offence.</p>					I
	<p>(3) An offence against this section is a strict liability offence.</p>					P



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Dr Not No	Inspection Checklist	How met?	C	NC	N/A	REA
RP39	<p><u>PLACARDS 254</u></p> <p>Requirement to display</p> <p>(1) A person in control of registrable premises must ensure that warning placards of the following types are displayed at the premises:</p> <p>(a) a HAZCHEM outer warning placard;</p> <p>(b) if a dangerous substance at the premises is stored in a tank, or is stored in packaged form—an information placard.</p> <p><i>Note</i> A dangerous substance is packaged if it is in a container of a defined limited capacity (see s 203 (Definitions—ch 2)).</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) Subsection (1) does not apply to LPG if it is—</p> <p>(a) packaged; and</p> <p>(b) outside a building; and</p> <p>(c) connected by piping to appliances that use gas within the building.</p> <p><i>Note</i> LPG is a dangerous substance.</p> <p>(3) Subsection (1) (b) does not apply to a dangerous substance stored in a tank if—</p> <p>(a) the substance is intended to be carried, and is placarded, in accordance with the requirements of the Australian Dangerous Goods Code for dangerous goods of the same kind; or</p> <p>(b) the substance is a combustible liquid in a quantity no more than 10 000L and is stored separately and isolated from other dangerous substances; or</p> <p>(c) the substance is—</p> <p>(i) of class 2.1 or 3, or is a combustible liquid; and</p> <p>(ii) stored in an underground tank at retail premises; and</p> <p>(iii) to be used for refuelling vehicles.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C



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	<p>(4) Subsection (1) (b) applies in relation to each area of the premises where a dangerous substance is stored in packaged form in at least the placard quantity.</p> <p>(5) A person in control of premises must ensure that a warning placard displayed under this section—</p> <p>(a) is made of durable and weather-resistant material; and</p> <p>(b) is maintained in good repair; and</p> <p>(c) is legible; and</p> <p>(d) is not covered or obscured.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(6) An offence against this section is a strict liability offence.</p> <p>(7) In this section:</p> <p>LPG—see the <i>Gas Safety Act 2000</i>, dictionary, definition of gas, paragraph (b)</p>					P
RP40	<p><u>PLACARDS 255</u></p> <p>Location of HAZCHEM outer warnings</p> <p>(1) A person in control of registrable premises must ensure that a HAZCHEM outer warning placard is displayed at each entrance to the premises so that it is clearly visible.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
RP41	<p><u>PLACARDS 256</u></p> <p>Location of information placards</p> <p>(1) This section applies if an information placard for a dangerous substance is required to be displayed at registrable premises under section 254 (Placards—requirement to display).</p> <p>(2) If a dangerous substance is stored indoors at registrable premises, a person in control of the premises must ensure that an information placard for the substance is displayed so that it is clearly visible—</p> <p>(a) at the main entrance to each building where the substance is stored; and</p> <p>(b) either—</p> <p>(i) at each entrance to each room, enclosure or other area where the substance is stored; or</p> <p>(ii) next to the substance.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(3) If a dangerous substance is stored outdoors at registrable</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I



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Dr Not No	Inspection Checklist	How met?	C	NC	N/A	REA
	<p>premises, a person in control of the premises must ensure that an information placard for the substance is displayed so that it is clearly visible—</p> <p>(a)if the substance is in a tank—next to the substance or on the external surface of the tank; or</p> <p>(b)next to the substance.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(4)An offence against this section is a strict liability offence.</p>					P
RP42	<p><u>PLACARDS 257</u></p> <p>Form of HAZCHEM outer warning placard</p> <p>(1) A person in control of registrable premises must ensure that each HAZCHEM outer warning placard displayed at the premises complies with schedule 2.</p> <p>Maximum penalty: 25 penalty units.</p> <p>(2)An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
RP43	<p><u>PLACARDS 258</u></p> <p>Form of information placards for tanks</p> <p>(1) A person in control of registrable premises must ensure that an information placard for a dangerous substance stored in a tank at the premises complies with schedule 2.</p> <p>Maximum penalty: 25 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
RP44	<p><u>PLACARDS 259</u></p> <p>Form of information placards for packages</p> <p>(1) A person in control of registrable premises must ensure that an information placard for a dangerous substance stored at the premises in packaged form complies with schedule 2.</p> <p><i>Note</i>A dangerous substance is packaged if it is in a container of a defined limited capacity (see s 203 (Definitions—ch 2)).</p> <p>Maximum penalty: 25 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P



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RP45	<p><u>DANGEROUS OCCURRENCE REPORTING 268</u> Records of actual and likely dangerous occurrences—Act, s 216 (1) (m)</p> <p>(1) This section applies if, under the Act, section 39 (Person in control of premises—safety duty to report actual or likely dangerous occurrences) a person in control of registrable premises tells the chief executive about an actual or likely dangerous occurrence at the premises.</p> <p>(2) The person in control of the premises must ensure that—</p> <p>(a) a written record (a dangerous occurrence record) is made of what the person tells to the chief executive under the Act, section 39; and</p> <p>(b) a dated copy of the record is kept at the premises.</p> <p>Maximum penalty: 15 penalty units.</p> <p><i>Note</i> If a person stops being in control of registrable premises, the copy of the record must continue to be kept at the premises (see s 250 (Records—change of person in control)).</p> <p>(3) If, within 10 years after the day the person in control of the premises tells the chief executive about the actual or likely dangerous occurrence (the 10-year period), dangerous substances stop being handled at the premises, a person in control of the premises immediately before the substances stopped being handled at the premises must keep any records made for this section in relation to the premises until the end of the 10-year period.</p> <p>Maximum penalty: 15 penalty units.</p> <p>(4) If, after dangerous substances stop being handled at premises, a person has a record under subsection (3) in relation to the premises, the person must, if an inspector asks within the 10-year period, give the inspector a copy of the record.</p> <p>Maximum penalty: 15 penalty units.</p> <p>(5) An offence against this section is a strict liability offence.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C
						I
						P
RP46	<p><u>DANGEROUS OCCURRENCE REPORTING 269</u> Form of records of actual and likely dangerous occurrences</p> <p>(1) This section applies if a person in control of registrable premises is required to make a record under section 268 (2) (Records of actual and likely dangerous occurrences—Act, s 216 (1) (m)) in relation to an actual or likely dangerous occurrence (the incident) at the premises.</p> <p>(2) The person in control of the premises must include the</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C



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	<p>services.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) An offence against this section is a strict liability offence.</p>					P
	MANIFEST QUANTITY REGISTRABLE PREMISES - EMERGENCY PLANS					
	<p><u>MEANING OF EMERGENCY PLAN 273</u></p> <p>In this division: (2.8.2)</p> <p>emergency plan, for handling dangerous substances at manifest quantity registrable premises, means a written record of a plan to manage dangerous occurrences that may arise from the handling of the substances.</p>					
RP50	<p><u>EMERGENCY PLAN 274</u></p> <p>Emergency plan—safety management systems for Act, s 19 (1) (e)</p> <p>(1) A safety management system for handling a dangerous substance at manifest quantity registrable premises must include an emergency plan prepared and documented in accordance with this division.</p> <p>(2) Subsection (1) is in addition to the requirements of the Act, section 19 (1) (a) to (d) in relation to a safety management system for the substance.</p> <p><i>Note</i> Under the Act, s 19 (1) (e), a safety management system for a dangerous substance must comply with requirements prescribed by regulation. For the Act, s 31, a person in control of premises where a dangerous substance is handled must ensure that there is a safety management system for the substance at the premises, and that the system is implemented for the premises. Failure to comply may be an offence against the Act, pt 3.2.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
RP51	<p><u>EMERGENCY PLAN 275</u></p> <p>Emergency plan—making</p> <p>(1) A person in control of manifest quantity registrable premises must ensure that an emergency plan is made for the premises.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) A person in control of manifest quantity registrable premises (the controlled premises) must ensure that a copy of the emergency plan made for the controlled premises, indicating the date it was made, is—</p> <p>(a) kept at the controlled premises; and</p> <p>(b) given to any work safety representative of employees who handle dangerous substances at the controlled premises; and</p> <p>(c) given to the emergency services; and</p> <p>(d) if premises (neighbouring premises) near the controlled premises are likely to be affected by a dangerous occurrence at the controlled premises—given to a person in control of the</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P



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	<p>neighbouring premises.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(3) An offence against this section is a strict liability offence.</p> <p><i>Note</i> If a person stops being in control of manifest quantity registrable premises, a copy of the emergency plan must continue to be kept at the premises (see s 250 (Records—change of person in control)).</p>					
RP52	<p><u>EMERGENCY PLAN 276</u></p> <p>Instruction for employee representatives and neighbouring occupiers</p> <p>(1) This section applies if an emergency plan is made for manifest quantity registrable premises.</p> <p>(2) A person in control of the premises must ensure that any work safety representative of employees at the premises, and a person in control of any premises (the neighbouring premises) near the premises, is given instruction about the following, in a language and way appropriate to the representative and the person in control of the neighbouring premises:</p> <p>(a) the operation of the emergency plan; and</p> <p>(b) any procedures and equipment that may be needed for use if there is a dangerous occurrence at the manifest quantity registrable premises.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(3) An offence against this section is a strict liability offence.</p> <p>(4) This section only applies in relation to a person in control of the neighbouring premises if the neighbouring premises are likely to be affected by a dangerous occurrence at the manifest quantity registrable premises.</p> <p><i>Note</i> Section 245 (Information for substance handlers) requires handlers of dangerous substances at the premises to be given the instruction mentioned in s (2) about the emergency plan.</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C I P
RP52	<p><u>EMERGENCY PLAN 277</u></p> <p>Review as necessary</p> <p>(1) This section applies if—</p> <p>(a) an emergency plan has been made for manifest quantity registrable premises; and</p> <p>(b) either—</p> <p>(i) there is a significant change to a process, system or</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	C



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	<p>control of the neighbouring premises if the neighbouring premises are likely to be affected by a dangerous occurrence at the manifest quantity registrable premises.</p> <p>(5) In reviewing the emergency plan, the person in control of the premises must take into consideration any written advice received from an entity mentioned in subsection (2).</p>					
RP55	<p><u>ASBESTOS MANAGEMENT PLAN 325</u></p> <p>(1)A person in control of non-residential premises must have a plan (an <i>asbestos management plan</i>) for the premises.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2)An offence against subsection (1) is a strict liability offence.</p> <p>(3)The asbestos management plan must include the following:</p> <p>(a)provision for the keeping of an asbestos register for the premises;</p> <p>(b)provision for people likely to be affected by an asbestos product at the premises to have access to information about the following:</p> <p>(i)the location, type and condition of the product;</p> <p>(ii)the risks posed by the product;</p> <p>(iii)the control measures adopted to eliminate or minimise those risks;</p> <p>(c)details of locations for the placement of warning signs and labels under section 332;</p> <p>(d)details of safe work methods in relation to asbestos products at the premises;</p> <p>(e)details of decisions, and reasons for decisions, about the management of an asbestos product at the premises;</p> <p>(f)details of arrangements for dealing with accidents, incidents or emergencies involving an asbestos product at the premises;</p> <p>(g)a timetable for managing risks associated with asbestos products at the premises, including priorities and dates for reviewing risk assessments, and special circumstances and activities that may affect the timing of action;</p> <p>(h)details of atmospheric monitoring arrangements at the premises;</p> <p>(i)details identifying each person having responsibilities under the plan, and the person's particular</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



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	<p>responsibilities;</p> <p>(j)details of any training arrangements for workers or contractors engaged at the premises or other people likely to be affected by an asbestos product at the premises;</p> <p>(k)procedures, including a timetable, for reviewing and updating the plan and asbestos register.</p> <p>Examples of decisions—par (e)</p> <ol style="list-style-type: none"> 1 to seal or enclose the asbestos product 2 to replace the asbestos product with an alternative product <p>Examples of arrangements—par (f)</p> <ol style="list-style-type: none"> 1 warning and communication systems 2 safety drills 3 availability of information for emergency services <p>Examples of special circumstances and activities—par (g)</p> <ol style="list-style-type: none"> 1 plant shutdown periods 2 renovation or refurbishment of premises <p><i>Note</i> An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).</p> <p>(4)If something that may happen at the non-residential premises may disturb an asbestos product at the premises, the asbestos management plan must provide, as far as practicable and having regard to the risks to health, for the asbestos product to be removed from the premises rather than secured at the premises.</p> <p>(5)A plan for the management of asbestos products in non-residential premises is taken to be an asbestos management plan for this part if the plan—</p> <p>(a)is developed on or after 1 July 2006, but before the application of this part to the premises;</p> <p>(b)provides for the review of the plan under section 326;</p> <p>(c)complies with section 330 (Identifying asbestos products etc);</p> <p>(d)complies with section 331 (Presumed presence of asbestos products);</p> <p>(e)complies with section 332 (Asbestos warning signs etc); and</p> <p>(f)complies with section 333 (Asbestos risk assessment).</p> <p>(6)Subsection (5) is a law to which the Legislation Act,</p>					



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	<p>section 88 (Repeal does not end effect of transitional laws etc) applies.</p> <p>(7)Subsections (5) and (6) and this subsection expire on 31 December 2011.</p>					
RP56	<p><u>ASBESTOS REGISTER 327</u></p> <p>(1) A person in control of non-residential premises must have a register (the asbestos register) for the premises.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) An offence against subsection (1) is a strict liability offence.</p> <p>(3) A person in control of non-residential premises commits an offence if the person fails to take reasonable steps to ensure that the asbestos register contains the following information:</p> <p>(a) information about the identification of asbestos products at the premises, including the following:</p> <p>(i) the date of each inspection and identification under section 330 (Identifying asbestos products etc);</p> <p>(ii) the name of each person who conducted an inspection or identification under section 330;</p> <p>(iii)the location, type and condition of each asbestos product identified at the premises under section 330;</p> <p>(iv)the location, type and condition of anything at the premises that is presumed under section 331 to contain an asbestos product;</p> <p>(v) any analysis confirming that material at the premises contains, or does not contain, an asbestos product;</p> <p>(b) information about a review of the asbestos register under section 329 including the following:</p> <p>(i) the date of each review;</p> <p>(ii) the name of each person who conducted the review;</p> <p>(iii)the findings and conclusions of the review;</p> <p>(c) information about risk assessments under section 333 for the premises, including the following:</p> <p>(i) the date of each assessment;</p> <p>(ii) the name of each person who conducted an assessment;</p> <p>(iii)the findings and conclusions of each assessment;</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



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	<p>(iv)the result of any atmospheric monitoring at the premises, and any assessment of the results, under section 335;</p> <p>(d) information about a review of a risk assessment under section 334 for the premises, including the following:</p> <p>(i) the date of each review;</p> <p>(ii) the name of each person who conducted the review;</p> <p>(iii)the findings and conclusions of the review;</p> <p>(iv)the result of any atmospheric monitoring at the premises, and any assessment of the results, under section 335;</p> <p>(e) information about control measures at the premises including measures recommended or adopted because of a risk assessment under section 333;</p> <p>(f) information about maintenance and service work in relation to asbestos products at the premises, including the following:</p> <p>(i) the name of each person who carried out the work;</p> <p>(ii) each date on which the work was carried out;</p> <p>(iii)the scope of the work carried out;</p> <p>(iv)any clearance certificate relating to the work.</p>					
	<p><u>ASBESTOS REGISTER—ACCESS 328</u></p> <p>(1) A person in control of non-residential premises must ensure that—</p> <p>(a) each worker at the premises is told about the register; and</p> <p>(b) before any work that may expose anyone to airborne asbestos fibres is done at the premises, the register is readily accessible to each of the following:</p> <p>(i) the worker or a representative of the worker;</p> <p>(ii) the employer of a worker at the premises;</p> <p>(iii) anyone removing an asbestos product at the premises;</p> <p>(iv) anyone engaged to carry out work that may disturb an asbestos product at the premises;</p> <p>(v) anyone else who may be exposed to airborne asbestos fibres because of the work.</p> <p>Maximum penalty: 30 penalty units.</p> <p>(2) An offence against this section is a strict liability</p>		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	



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Dr Not No	Inspection Checklist	How met?	C	NC	N/A	REA
	offence.					