

Dangerous Goods (Fees) Revocation and Determination 2003 (No 2)

Disallowable Instrument DI 2003-172

made under the

Dangerous Goods Act 1975, Part 7, Section 46 – Determination of fees

Explanatory Statement

The *Dangerous Goods Act 1975* (the Act) regulates the import, manufacture, transport, storage, handling, sale and use of dangerous goods in the ACT.

Section 46 of the Act provides the Minister for Industrial Relations with the power to determine fees for the purposes of the Act.

This instrument revokes the previous determination of fees instrument DI2003-77, that set fees for the 2002-2003 financial year and determines the new fees for the 2003-2004 financial year. The fees relevant to the Act have been adjusted based on the Consumer Price Index (CPI) of 2.5%. The CPI was derived by the Department of Treasury in its Economic conditions forecasts (see page 52 of 2003-2004 Budget Paper 3).

Section 58(1) of the *Legislation Act 2001* provides that where an Act authorises fees to be determined for the Act and the Act authorises the making of regulations by the Executive, then the Minister for Industrial Relations also has the power to determine fees for the purposes of the Regulations. Section 47(1) of the Act provides that the Executive may make regulations for the Act.

The instrument also determines fees under the *Dangerous Goods Regulations 1978* (the Regulations) for the 2003-2004 financial year.

The instrument sets the fee for an application to be a registered driver under regulation 14 at \$30.00. This fee has not changed from the 2002-2003 financial year. This is because the fee is a nationally set fee consistent with the *Road Transport Reform (Dangerous Goods) Act 1995* (Cth). The remainder of the fees under the Regulations have been adjusted based on the Consumer Price Index (CPI) of 2.5%.

The fees take effect from 1 July 2003.

The determination under section 46 is a disallowable instrument.