

CONSOLIDATED NEWFOUNDLAND AND LABRADOR REGULATION 5/96

Dangerous Goods Transportation Regulations
under the Dangerous Goods Transportation Act
(O.C. 96-206)

Amended by:

59/02

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under the Dangerous Goods Transportation Act
(O.C. 96-206)

Under the authority of section 22 of the Dangerous Goods Transportation Act and the Subordinate Legislation Revision and Consolidation Act, the Lieutenant-Governor in Council makes the following regulations.

REGULATIONS

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Short title

1. These regulations may be cited as the Dangerous Goods Transportation Regulations .

305/85 s1

Definition

2. In this regulation "Federal Regulations" means the English version, exclusive of Parts 10, 11, 12, 13, 14, 15 and 16 of the Transportation of Dangerous Goods Regulations made under the Transportation of Dangerous Goods Act (Canada).

59/02 s1

Safety requirements, standards and marks

3. The safety requirements, safety standards and safety marks set out in the Federal Regulations are prescribed for the purpose of section 5 of the Act.

305/85 s3

Prohibitions in Federal Regulations

4. A person shall not transport dangerous goods under circumstances where the transportation is prohibited in the Federal Regulations.

305/85 s4

Federal Regulations

5. A person shall not transport dangerous goods, the transportation of which is prohibited in the Federal Regulations.

305/85 s5

Directions in Federal Regulations

6. A person shall not transport dangerous goods in or on a motor vehicle on a highway where a direction has been given under the Federal Regulations in respect of that transportation except in accordance with the direction.

305/85 s6

Inspectors

7. (1) For the purpose of these regulations, "inspector" when used in the Federal Regulations includes an inspector designated under subsection 11(1) of the Act.

- (2) For the purpose of these regulations, the following are designated inspectors:

- (a) every person who is a peace officer;

(b) every person who is appointed to the Occupational Health and Safety Division of the Department of Labour under sections 20 and 21 of the Occupational Health and Safety Act ;

(c) every person who is appointed a fire commissioner, deputy fire commissioner and a local assistant to the fire commissioner under the Fire Prevention Act, 1991 ;

(d) every person who is appointed an inspector under the Highway Traffic Act ;

(e) those other individuals that the minister may appoint.

(3) For the purpose of these regulations, the following are designated analysts:

(a) the Royal Canadian Mounted Police crime laboratory;

(b) the National Research Council of Canada; and

(c) the laboratories of Memorial University of Newfoundland.

305/85 s7; 59/02 s2

Non-application

8. Parts 2, 3, 4, 5 and 6 of the Federal Regulations do not apply to prohibit the transportation of dangerous goods in a vehicle used in the constructing, repairing, painting or marking of a road surface.

59/02 s3

Evidence

9. The bill of lading and the package labelling is, in the absence of evidence to the contrary, evidence of the commodity, actually carried or possessed, and the onus of establishing otherwise is on the person who so assents.

305/85 s9

Repeal

10. The Dangerous Goods Transportation Regulations, 1985, Newfoundland Regulation 305/85, are repealed.

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