

The Dangerous Goods Transportation Regulations

being

Chapter D-1.2 Reg 1 (effective February 1, 1986)
as amended by Saskatchewan Regulations 96/86,
7/88, 50/89, 143/92, 75/93, 59/94, 71/95, 17/96 and 110/2002.

NOTE:

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

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CHAPTER D-1.2 REG 1

The Dangerous Goods Transportation Act

Title

- 1 These regulations may be cited as *The Dangerous Goods Transportation Regulations*.

Interpretation

- 2 In these regulations:

- (a) “**Act**” means *The Dangerous Goods Transportation Act*;
- (b) “**federal Act**” means the *Transportation of Dangerous Goods Act, 1992* (Canada);
- (c) “**federal regulations**” means the *Transportation of Dangerous Goods Regulations* (Canada), being SOR/2001-286, excluding Parts 13 to 16 of those regulations.

14 Feb 86 cD-1.2 Reg 1 s2; 29 Aug 86 SR 96/86 s3; 19 Feb 88 SR 7/88 s2; 25 Aug 89 SR 50/89 s2; 18 Dec 92 SR 143/92 s3; 24 Sep 93 SR 75/93 s2; 15 Jly 94 SR 59/94 s2; 24 Nov 95 SR 71/95 s3; 3 May 96 SR 17/96 s2; 6 Dec 2002 SR 110/2002 s2.

Interpretation

- 3 For the purposes of these regulations:

- (a) “**inspector**” when used in the federal regulations includes a person designated as an inspector pursuant to section 12 of the Act;
- (b) “**means of transportation**” when used in the federal regulations means a vehicle as defined in the Act;
- (c) “**road**” when used in the federal regulations means a highway as defined in the Act;
- (d) “**road vehicle**” when used in the federal regulations means a vehicle as defined in the Act.

14 Feb 86 cD-1.2 Reg 1 s3.

Adoption of and compliance with federal regulations

- 4 Subject to the Act and these regulations, the provisions of the federal regulations regarding:

- (a) the safety requirements to be complied with; and
- (b) the safety standards required for containers, packaging and vehicles and the safety marks to be displayed thereon;

in the handling, offering for transport or transportation of dangerous goods are hereby adopted by reference in these regulations, and compliance with them is required as though they had been made pursuant to the Act.

14 Feb 86 cD-1.2 Reg 1 s4; 18 Dec 92 SR 143/92 s4.

D-1.2 REG 1**DANGEROUS GOODS TRANSPORTATION****Limited exemption**

4.1(1) Tanks manufactured prior to July 1, 1995 are exempt from the provision of section 7.32.1 of SOR/92-447 of July 20, 1992 referring to clause 8 of the CSA Preliminary Standard B620-1987, *Highway Tanks and Portable Tanks for the Transportation of Dangerous Goods*.

(2) Section 7.33.1 of SOR/95-241 of May 16, 1995 does not apply to a tank if the following conditions exist:

- (a) the tank is manufactured prior to July 1, 1995;
 - (b) the tank continues to be used to transport the same class of dangerous goods as it contained prior to the coming into force of this section;
 - (c) the vehicle on which the tank is permanently mounted is registered in Saskatchewan prior to the coming into force of this section and the vehicle continues to be registered in Saskatchewan.
- (3) The exemptions pursuant to this section apply until June 30, 1996.

24 Nov 95 SR 71/95 s4.

Deemed direction or control

5 For the purposes of subsection 3(2) of the Act, dangerous goods that are being handled, offered for transport or transported in a manner described in section 2.2 of the federal regulations are deemed to be under the sole direction or control of the Minister of National Defence for Canada.

14 Feb 86 cD-1.2 Reg 1 s5; 18 Dec 92 SR 143/92 s5.

Application for exemption permit

6 An application for a permit pursuant to section 5 of the Act shall be made to the minister and shall include:

- (a) a list of the provisions of the Act or the regulations from which an exemption is requested;
- (b) a statement describing the intended use of the permit; and
- (c) a statement supporting the need for such a permit.

14 Feb 86 cD-1.2 Reg 1 s6.

7 Repealed. 18 Dec 92 SR 143/92 s6.

8 Repealed. 18 Dec 92 SR 143/92 s7.

Compliance with federal permit

8.1 Compliance with a permit issued pursuant to:

- (a) section 27 or subsection 3(3) of the *Transportation of Dangerous Goods Act* (Canada), as that Act existed before the enactment of the federal Act; or
- (b) section 31 of the federal Act;

that has not been revoked and that is not expired is deemed to be compliance with the Act and these regulations.

18 Dec 92 SR 143/92 s8.

Directives

9(1) In this section, “**directive**” means a directive pursuant to subsection 24(1) of the Act.

(2) The minister shall communicate a directive to any person who is required to do, or to cease doing, anything pursuant to the directive.

(3) Where a directive is communicated other than in writing, the minister shall, within seven days of that communication, confirm the directive in writing addressed to the person who is required to do, or to cease doing, anything pursuant to the directive.

(4) A person may, within 30 days of receiving a directive pursuant to subsection (2), apply to the minister for a review of the directive.

(5) An application for review pursuant to subsection (4) shall be submitted in writing to the minister and shall provide:

- (a) the name and address of the applicant;
- (b) a copy of the directive or a complete description of the subject matter of the directive;
- (c) the grounds on which the application for review is based and any material in support of the application;
- (d) an indication of the relief sought; and
- (e) the name and address of the applicant’s representatives, if any.

(6) The minister, after consideration of an application for review and any other information that he considers appropriate, may confirm, rescind, alter or vary any directive.

(7) The minister shall communicate his decision with respect to the review in writing, together with the reasons for his decision, to the person who submitted the application for review.

14 Feb 86 cD-1.2 Reg 1 s9.

Certificate of inspection

10(1) In this section, “**certificate of inspection**” means a certificate evidencing an inspection, detention or taking of a sample pursuant to subsection 15(1) of the Act.

(2) A certificate of inspection is to be in Form A of the Appendix.

14 Feb 86 cD-1.2 Reg 1 s10.

APPENDIX

Form A

CERTIFICATE OF INSPECTION, DETENTION OR TAKING OF A SAMPLE
(Provided pursuant to section 15 of *The Dangerous Goods Transportation Act*)

THIS IS TO CERTIFY THAT THE INSPECTOR IDENTIFIED HEREUNDER,
AT _____ HOURS ON THE _____ DAY OF _____, 19 __ ,
AT OR NEAR _____ IN THE PROVINCE OF SASKATCHEWAN, DID

_____ inspect the following articles, which articles were sealed or closed up prior
to inspection;

_____ detain the following;

_____ take the following samples.

Description of articles or item inspected, detained or sample taken:

Reason for and conditions of detainment:

_____ Following inspection, the above articles were released in otherwise good
condition.

Name of person in charge of the dangerous goods

Name of inspector

Signature of inspector

DISPENSATION FROM PUBLICATION

Re: *The Dangerous Goods Transportation Amendment Regulations, 1995*

Pursuant to the authority vested in me by subsection 7(2) of *The Regulations Act, 1989*, the *Transportation of Dangerous Goods Regulations* (Canada), being SOR/85-77 of January 18, 1985, as amended by SOR/85-314 of March 28, 1985, SOR/85-585 of June 21, 1985, SOR/85-609 of June 27, 1985, SOR/86-526 of May 8, 1986, SOR/87-186 of March 26, 1987, SOR/87-335 of June 11, 1987, SOR/88-635 of December 7, 1988, SOR/89-39 of December 27, 1988, SOR/89-294 of June 1, 1989, SOR/90-847 of December 6, 1990, SOR/91-711 of December 5, 1991, SOR/91-712 of December 5, 1991, SOR/92-447 of July 20, 1992, SOR/92-600 of October 9, 1992, SOR/93-203 of April 20, 1993, SOR/93-525 of December 2, 1993, SOR/94-264 of March 24, 1994 and SOR/95-241 of May 16, 1995, excluding Parts X, XI, XII and XIII of those regulations, adopted by reference pursuant to sections 2 and 4 of *The Dangerous Goods Transportation Regulations* are exempt from publication in *The Saskatchewan Gazette*.

A copy of the *Transportation of Dangerous Goods Regulations* (Canada) as amended and as adopted by reference by *The Dangerous Goods Transportation Regulations* is on file at the office of the Registrar of Regulations, Legislative Building, Regina, Saskatchewan, and may be inspected between the hours of 8:30 a.m. and 4:30 p.m., Monday to Friday, not including statutory holidays.

Dated at Regina, Saskatchewan this 31st day of October, 1995.

Florence M. Krichkowski
Deputy Registrar of Regulations

