This form has been provided to assist stakeholder in making a submission on the Supplementary Consultation Paper – Provisions for the transport of explosives in the ADG Code).

Submissions close on Tuesday 17 December 2024.

**Details of person submitting comments**

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| If you are submitting comments on behalf of an association or organisation, please provide the following details. | | | | |
| **Organisation name:** | | Beretta Australia Pty Ltd | | |

Consultation paper questions. Please enter your comments in the row below each question.

***Note:*** *you are not required to answer every question.*

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| **2.1. Code Part 1 – General** |
| **Q1:** Which of the following options do you support for the definition of low hazard explosives? Please provide your reasoning.  Option 1: Only low hazard explosives meeting the description suggested by the Explosives Working Group (as per the table), or  Option 2: Continuing the AEC approach of concessions only for explosives of classification code 1.4S. |
| ***Option 1. There is a wide range of explosive materials that do not present large risks, especially at restricted quantities and weights. 1.4S isn’t unique in this way.*** |
| **Q2:** Should the table of low hazard explosives in the ADG Code include UN numbers in addition to the classification code and product description? Please provide your reasoning. |
| ***Yes, including the UN Code provides a point of parity between Australian regulations and EU/USA regulations, which is especially helpful for products originating overseas.*** |
| **Q3:** Are there any entries (UN numbers, DG list entries or product descriptions) that:   1. Are listed in the table above that should not be considered low hazard explosives, or 2. Are not listed in the table above that should be considered low hazard explosives?   Please provide your reasoning. |
| ***1.1C – UN 0160 - Smokeless Powder, should be added with a limit of 5kg, as 4kg is a standard original container amount.*** |
| **Q4:** Do you consider that the limits provided in the draft (in 1.1.3.14.3) are appropriate? Please provide your reasoning. |
| ***1.1.3.14.3 is fine, but 1.1.3.14.2 is too little. A case of shotgun ammunition (2500 rounds) contains just over 4kg NEQ, and is a common personal-use purchase amount, considering that many standard vehicles do not have a separated compartment anymore (hatches, etc.). A specific exemption qty of 5kg NEQ for 1.4S Safety Cartridges would be appropriate.*** |
| **Q5:** Do you consider the conditions set out for transport of low hazard explosives and other dangerous goods are appropriate? Please provide your reasoning. |
| **No comment, as per above.** |
| **Q6:** Are there other import or export scenarios that you consider require conditional concessions to prevent unnecessary intermodal barriers? Please:   1. outline the scenarios where this occurs; and 2. appropriate controls to manage it.   Please provide your reasoning. |
| ***No Comment, as per above.*** |
| **Q7:** After reviewing the draft provisions for Chapter 1.1, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***1.1.3.14.2 should read as a maximum of 5kg NEQ for Safety Cartridges or Smokeless powder specifically, or 1kg of any other LHE.*** |
| **Q8:** After reviewing the draft duties intended for Chapter 1.4, do you have any comments, concerns, or suggested amendments? Please provide details. |
| ***Safety plans for personal use quantities of powder, ammunition, and primers is already covered by the various Firearms/Weapons acts relevant to each state, and I believe it’s unnecessary for these articles. 1.4.5 should also say “Does not apply to LHEs”.*** |
| **Q9:** After reviewing the draft administrative controls for drivers in 1.8.11, do you have any comments, concerns, or suggested amendments? Please provide details. |
| ***No Comment.*** |
| **Q10:** What do you consider to be an appropriate level of insurance for incidents involving the transport of explosives? Please provide your reasoning. |
| ***No Comment.*** |
| **Q11:** Do you support the proposal to treat all explosives other than low hazard explosives as high consequence dangerous goods for transport? Please provide your reasoning. |
| ***Assuming that 1.1C Smokeless Powder is added to the list of LHEs, I have no concerns.*** |
| **Q12:** After reviewing the draft provisions for Chapter 1.10, do you have any comments, concerns, or suggested amendments? Please provide details. |
| ***The language should clearly reflect the reality that transport of explosives for personal use, that presents very little danger, is done every day by people who are not acting as an employee of any company or engaged in any type of commercial activity. Non-commercial transport doesn’t carry the same risks, frequency or regularity that commercial transport does.*** |

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| **2.3. Code Part 3 – DG list and special provisions** |
| **Q13:** Is there a reason why special provision 616 and the exudation test in 2.3.1 should not be included? Please provide your reasoning. |
| ***No Comment.*** |
| **Q14:** Is there a reason why the LQ values for class 1 should not be included in the DG list? Please provide your reasoning. |
| ***They should be included, as it helps clarify for freight companies.*** |
| **Q15:** If you currently import or export articles of UN 0012, UN 0014 or UN 0055 please provide details of any anticipated costs savings from the proposed LQ provisions. |
| ***Significant savings as there will be fewer barriers for transport companies to engage on transport of LHEs, and as a result there will be more competitive freight quotes/charges.*** |
| **Q16:** Do you support the removal of tank instructions for the transport of class 1 substances? Please provide your reasoning. |
| ***No Comment.*** |
| **Q17:** Do you have any comments, concerns or suggested amendments relating to Part 3 of the draft ADG Code? Please provide details. |
| ***No Comment.*** |

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| **2.4. Code Part 4 – Packaging and tanks** |
| **Q18:** After reviewing the draft provisions for Chapter 4.1, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***No Comment.*** |

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| **2.5. Code Part 5 – Consignment procedures** |
| **Q19:** Is there a reason why the markings on inner packagings should not refer to the GHS requirements? Please provide your reasoning. |
| ***No Comment.*** |
| **Q20:** Is it necessary to retain the provisions relating to marking and labelling on articles and wrappings in the ADG Code? Please provide your reasoning. |
| ***No Comment.*** |
| **Q21:** After reviewing the draft provisions for Chapter 5.2, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***5.2.1.5.1(e) NEQ in KG may not always be clear, and makes up a small fraction of the total package weight. As an example, Shotgun cartridges have a typical ratio of: 20:1, Net Weight:NEQ.  1.4S Safety Cartridges should be only required to provide quantity of cartridges.*** |
| **Q22:** After reviewing the draft provisions for Chapter 5.3, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***No Comment.*** |
| **Q23:** Which of the following options do you consider the ADG Code should follow:  Option 1: Permit placarding of MPUs with EIPs as set out in the MPU Code (see above).  Option 2: Require that MPUs are placarded with the appropriate EIPs for the dangerous goods being transported.  Please provide your reasoning. |
| ***No Comment.*** |
| **Q24:** After reviewing the draft provisions for Chapter 5.4, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***No Comment.*** |

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| **2.6. Code Part 6 – Containment systems** |
| **Q25:** After reviewing the draft provisions for Chapter 6.16, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***This section needs to be specific and clear on how it applies to LHEs. As it stands, due to the opening note:***  ***NOTE 1: An explosives load compartment is any load compartment used for the transport of explosives. This may be a carry box, an integral part of the vehicle body or a freight or shipping container. It may be demountable or an integral part of a vehicle transporting explosives.***  ***It would appear that it applies to LHEs, but should not.*** |

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| **2.7. Code Part 7 – Loading, unloading and handling** |
| **Q26:** After reviewing the draft provisions for Chapter 7.2, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***7.2.4(4) I needs to reflect the low risk of LHEs. Requirements to be out of the main cabin of a car are not required as these goods are already covered by the Firearms/Weapons acts of each state.*** |
| **Q27:** Do you consider that special provisions V3 and V12 need to be retained? Please provide your reasoning. |
| ***V3 is no longer necessary with the overlap of requirements from the LHE specific section.*** |
| **Q28:** Are there reasons why section 7.5.5.2.3 should not be deleted, allowing explosives to be transported on MPUs? Please explain your reasoning. |
| ***No Comment*** |
| **Q29:** After reviewing the draft provisions for Chapter 7.5, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***7.5.11 CV1/CV2 are simply ridiculous provisions for safety cartridges of any type. Unloading and loading of cartridges of all types happens in public all the time already with no ill effects.   Specifically, CV1(1) requiring special permission to even load an unload would mean that tens of thousands of requests would be sent to the relevant authorities every single year just to load and unload ammunition into gun shops and out of warehouses. Not only is it burdensome on both ends, it’s also completely unnecessary. These requirements should simply not apply to LHEs in any quantity, and it should be made absolutely clear that this is the case.  CV2(1) won’t happen, and such a requirement isn’t necessary for these articles either. LHEs once again simply don’t present this threat in any capacity, and it should be noted clearly.*** |

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| **2.8. Code Part 8 – Vehicle crews and operations** |
| **Q30:** Do you oppose the inclusion of a requirement to carry a 2 kg extinguisher for explosives category 1 loads? Please explain your reasoning. |
| ***It makes sense, except in cases of 1.4S/prescribed low quantities of LHEs.*** |
| **Q31:** After reviewing the draft provisions for Chapter 8.1, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***No Comments*** |
| **Q32:** After reviewing the draft provisions for Chapter 8.4, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***No Comments*** |
| **Q33:** After reviewing the draft provisions for Chapter 8.5, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***8.5.2.1.2, as per my comments on 7.5.11 / Q29, is absurd and the two-way burden is not worth the hassle.*** |
| **Q34:** Do you consider that the journey planning requirements should be placed in Chapter 8.6 or somewhere else? Please provide details. |
| ***No Comments*** |
| **Q35:** After reviewing the draft provisions for Chapter 8.6, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***No Comments*** |

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| **2.9. Code Part 9 – Vehicles** |
| **Q36:** After reviewing the draft provisions for Chapter 9.1, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***A vehicle should not be considered an EX vehicle if it is transporting less than 5kg NEQ in 1.4S or LHEs.*** |
| **Q37:** Do you support the provision to mandate a fixed fire-fighting system for EX3 vehicles in the new ADG Code? Please explain your reasoning. |
| ***Yes, a fixed firefighting system is a logical step.*** |
| **Q38:** After reviewing the draft provisions for Chapter 9.3, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***9.3.3.5 Should not apply to 1.4S at all.*** |
| **Q39:** Do you support mandating the AEISG MPU Code in the new ADG Code for design and construction of MPUs? Please provide your reasoning. |
| ***No comment*** |
| **Q40:** After reviewing the draft provisions for Chapter 9.8, do you have any comments, concerns or suggested amendments? Please provide details. |
| ***No comment*** |

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| **3.1. Commonwealth explosives and legislation** |
| **Q41:** Please advise if you consider that these exemptions for commonwealth explosives should be included in the ADG Code? Please explain your reasoning. |
| ***Yes, these should have an exemption, done via reference to the specific parts of the Controls on Commonwealth explosives and explosives areas. These measures are put in place for a specific purpose, and it should be clear that the “Specific is more important than General” rule applies.*** |

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| **3.2. Rail transport of explosives of class 1** |
| **Q42:** If provisions are required for rail transport, then the NTC will look to run a small consultation group with affected stakeholders so the important, rail-specific provisions can be analysed, updated and included in the draft code. We may need to consider removing these provisions if insufficient information is available to update them.  If you transport class 1 explosives by rail, please provide the following information:   1. Typical quantities and types of class 1 explosives transported by rail; 2. The locations where this occurs, and the frequency of this transport; 3. If you are willing to be part of a consultation group to assist with updating the rail-specific provisions in the AEC. |
| ***N/A*** |