

House of Assembly—No 74A

As reported with amendments, report agreed to and passed remaining stages,
31 March 2021

South Australia

**Dangerous Substances (LPG Cylinder Labelling)
Amendment Bill 2020**

A BILL FOR

An Act to amend the *Dangerous Substances Act 1979*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

- 5 This Act may be cited as the *Dangerous Substances (LPG Cylinder Labelling) Amendment Act 2020*.

2—Commencement

This Act comes into operation 3 months after the day on which it is assented to by the Governor.

3—Amendment provisions

- 10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Dangerous Substances Act 1979*

4—Insertion of Part 4A

After section 26 insert:

Part 4A—LPG cylinder labelling—special provisions

26A—LPG cylinder labelling—special provisions

- (1) A person must not sell or otherwise supply liquefied petroleum gas to another person in the course of retail trade unless the cylinder in which the gas is sold or supplied, or to which the gas is transferred at the point of sale or supply, is labelled in accordance with the requirements of this section.

Maximum penalty:

- (a) in the case of a body corporate—\$50 000;
 - (b) in any other case—\$10 000 or imprisonment for 1 year.
- (2) For the purposes of this section, a cylinder in which gas is sold or supplied, or to which gas is transferred, must have a label with the following wording affixed to the body of the cylinder:
- Intentional misuse by deliberate concentrated inhalation may cause injury or death.
- (3) Each side of a label under subsection (2) must be at least 100 millimetres in length except in the case of a cylinder which because of its size can bear only a smaller label, in which case each side of the label may be less than 100 millimetres in length, but in no case may any side of the label be less than 20 millimetres in length.
- (4) The colours and lettering used on a label under subsection (1) must be in accordance with—
- (a) AS 2700—2011 *Colour standards for general purposes* and AS 1319—1994 *Safety signs for the occupational environment*; or
 - (b) AS 4484 *Gas cylinders for Industrial, Scientific, Medical and Refrigerant gas labelling and colour coding*.
- (5) This section is in addition to and does not derogate from any other provision of this Act or a provision of the regulations that may apply in respect of liquefied petroleum gas or the labelling of cylinders containing liquefied petroleum gas.
- (5a) This section does not apply in respect of the sale or supply of a cylinder that—
- (a) has a water capacity of less than 500 ml and is designed as a cartridge to be used in or as part of a camp stove; or

(b) has a water capacity of more than 25 L.

(6) In this section—

liquefied petroleum gas means a liquid that is a mixture of hydrocarbons, basically consisting of butane or butenes, propane or propene, or any mixture of them, or 1 of them.

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Schedule 1—Transitional provision

1—Transitional provision—Existing labels

(1) Section 26A of the *Dangerous Substances Act 1979* as inserted by this Act does not apply in respect of a cylinder in circumstances where—

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(a) a label containing the prescribed wording was affixed to the body of the cylinder before the commencement of this Act; and

(b) the prescribed wording on the label is and remains clear and legible.

(2) In this clause—

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prescribed wording means the wording or statement required on a label under section 26A(2) of the *Dangerous Substances Act 1979* as in force after the commencement of this Act.