



# Hazardous Substances (Tracking) Amendment Regulations 2004

Silvia Cartwright, Governor-General

## Order in Council

At Wellington this 23rd day of August 2004

Present:

The Right Hon Helen Clark presiding in Council

Pursuant to section 76(1)(e) of the Hazardous Substances and New Organisms Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council (given on the recommendation of the Minister for the Environment made in compliance with section 141(1) of that Act), makes the following regulations.

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### Regulations

#### 1 Title

- (1) These regulations are the Hazardous Substances (Tracking) Amendment Regulations 2004.

- (2) In these regulations, the Hazardous Substances (Tracking) Regulations 2001<sup>1</sup> are called the “principal regulations”.

<sup>1</sup> SR 2001/120

## 2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

## 3 Interpretation

Regulation 3 of the principal regulations is amended by adding to the definition of **tracked substance** the words “(not including those substances listed in paragraphs (a) to (g) of that schedule)”.

## 4 Tracked substances to be recorded throughout lifecycle

Regulation 4(2) of the principal regulations is amended by inserting, before the words “class 1 substance”, the word “tracked”.

## 5 Recording system for tracked substances

Regulation 5 of the principal regulations is amended by adding the following subclause:

- “(4) Subclause (3) does not apply to a person in charge of a place that is a vehicle.”

Diane Morcom,  
Clerk of the Executive Council.

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### Explanatory note

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*, amend the Hazardous Substances (Tracking) Regulations 2001.

The effect of the amendments is to—

- amend the definition of **tracked substance** to exclude the low hazard explosive substances listed in paragraphs (a) to (g) of

Schedule 1 of the Hazardous Substances (Tracking) Regulations 2001, so that such substances are exempt from the recording system for tracked substances:

- clarify that only a tracked class 1 substance is required to be recorded throughout its lifecycle:
  - exclude a person who is in charge of a vehicle, where a tracked substance has been but is no longer present, from the requirement to retain a record of that substance.
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Date of notification in *Gazette*: 26 August 2004.

These regulations are administered in the Ministry for the Environment.

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