



Queensland

Mining Legislation (Classification of Chemicals) Amendment Regulation 2019

Subordinate Legislation 2019 No. 140

made under the

Coal Mining Safety and Health Act 1999

Mining and Quarrying Safety and Health Act 1999

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Part 1 Preliminary

1 Short title

This regulation may be cited as the *Mining Legislation (Classification of Chemicals) Amendment Regulation 2019*.

2 Commencement

This regulation commences on 1 October 2019.

Part 2 Amendment of Coal Mining Safety and Health Regulation 2017

3 Regulation amended

This part amends the *Coal Mining Safety and Health Regulation 2017*.

4 Replacement of ch 2, pt 7, hdg (Hazardous substances)

Chapter 2, part 7, heading—

omit, insert—

Part 7 Hazardous chemicals and dangerous goods

5 Replacement of ss 54–56

Sections 54 to 56—

omit, insert—

Division 1 Preliminary

54 Definitions for part

In this part—

ADG Code means the Australian Code for the Transport of Dangerous Goods by Road and Rail, 7th edition, approved by the Transport and Infrastructure Council.

Note—

The ADG Code is accessible at www.ntc.gov.au.

dangerous goods see section 56.

GHS means the Globally Harmonised System of Classification and Labelling of Chemicals, Third revised edition, published by the United Nations as modified under schedule 2AAA.

Note—

The schedule 2AAA tables replace some tables in the GHS.

hazardous chemical see section 55.

research chemical means a substance or mixture that—

- (a) is manufactured in a laboratory for genuine research; and
- (b) is not for use or supply for a purpose other than analysis or genuine research.

safety data sheet means—

- (a) for a hazardous chemical that is not a research chemical, waste product or sample for analysis, or for dangerous goods—a document that complies with schedule 2AAB, section 1; or
- (b) for a hazardous chemical that is a research chemical, waste product or sample for analysis—a document that complies with schedule 2AAB, section 2.

Transport and Infrastructure Council means the council of Commonwealth, New Zealand and State Ministers, established on 11 June 1993 and known as the Transport and Infrastructure Council, but constituted so that it consists of only 1 Minister representing each of the Commonwealth and the States.

Note—

The Transport and Infrastructure Council was previously known as the Australian Transport Council.

55 Meaning of *hazardous chemical*

A ***hazardous chemical*** is a substance, mixture or article that satisfies the criteria for a hazard class in the GHS (including a classification mentioned in schedule 2AAA), but does not include a substance, mixture or article that satisfies the criteria solely for 1 of the following hazard classes—

- (a) acute toxicity—oral—category 5;
- (b) acute toxicity—dermal—category 5;
- (c) acute toxicity—inhalation—category 5;
- (d) skin corrosion/irritation—category 3;
- (e) serious eye damage/eye irritation—category 2B;
- (f) aspiration hazard—category 2;
- (g) flammable gas—category 2;
- (h) acute hazard to the aquatic environment—category 1, 2 or 3;
- (i) chronic hazard to the aquatic environment—category 1, 2, 3 or 4;
- (j) hazardous to the ozone layer.

[s 5]

Note—

The schedule 2AAA tables replace some tables in the GHS.

56 Meaning of *dangerous goods*

Dangerous goods means anything defined under the ADG Code as—

- (a) dangerous goods; or
- (b) goods too dangerous to be transported.

Division 2 Information about hazardous chemicals and dangerous goods

56A Register of hazardous chemicals and dangerous goods

- (1) The site senior executive for a coal mine must ensure the following things are recorded in a register at the mine—
 - (a) a hazardous chemical used, handled, stored or produced at the mine;
 - (b) dangerous goods used, handled, stored or produced at the mine;
 - (c) the current safety data sheet for a hazardous chemical mentioned in paragraph (a) or dangerous goods mentioned in paragraph (b).
- (2) The site senior executive must ensure the register is readily accessible by each worker required to use, handle, store or produce a hazardous chemical, or dangerous goods, at the mine.

56B Manufacturers, importers and suppliers must mark or label substances

- (1) This section applies to a manufacturer, importer or supplier of a substance for use at a coal mine as mentioned in section 46(2)(a) of the Act.
- (2) Without limiting section 46(2)(a) of the Act, the manufacturer, importer or supplier must ensure the substance is correctly marked or labelled when the substance is provided for use at the mine.
- (3) A substance is *correctly marked or labelled* if the mark or label complies with applicable requirements relating to the mark or label stated in—
 - (a) the GHS; or
 - (b) a recognised standard; or
 - (c) the ADG Code.

56C Labelling and giving information about hazardous chemicals and dangerous goods

- (1) The site senior executive for a coal mine must ensure the following things are correctly marked or labelled—
 - (a) a hazardous chemical used, handled, stored or produced at the mine;
 - (b) dangerous goods used, handled, stored or produced at the mine;
 - (c) any thing containing, or being used to transport, a hazardous chemical mentioned in paragraph (a) or dangerous goods mentioned in paragraph (b).
- (2) A hazardous chemical, dangerous goods, or a thing mentioned in subsection (1)(c) is *correctly marked or labelled* if a mark or label—

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- (a) warns persons of the presence of the chemical or goods; and
 - (b) identifies the chemical or goods; and
 - (c) to the extent necessary for managing risk, provides basic information about using, handling, storing, producing or transporting the chemical or goods.
- (3) If it is not practicable to mark or label a hazardous chemical mentioned in subsection (1)(a), or dangerous goods mentioned in subsection (1)(b), the site senior executive must ensure a notice that gives the warning, identification and basic information mentioned in subsection (2)(c) is placed in a conspicuous place as near as practicable to the chemical or goods.
- (4) Also, the site senior executive must ensure a mark, label or notice under this section complies with applicable requirements relating to the mark, label or notice stated in—
- (a) the GHS; or
 - (b) a recognised standard; or
 - (c) the ADG Code; or
 - (d) AS 1345.
- (5) This section does not apply in relation to a mineral or quarry material.
- (6) In this section—

AS 1345 means the Australian Standard for the identification of the contents of piping, conduits and ducts as in force from time to time under that designation (regardless of the edition or year of publication of the standard).

mineral see the *Mineral Resources Act 1989*, section 6.

quarry material see the *Forestry Act 1959*,

schedule 3.

Division 3 Dealing with hazardous chemicals and dangerous goods

56D Selecting hazardous chemicals and dangerous goods

The site senior executive for a coal mine must ensure a hazardous chemical, or dangerous goods, selected for use at the mine does not create an unacceptable level of risk to a person when used, handled or stored under standard operating procedures.

56E Standard operating procedures for using, handling and storing hazardous chemicals and dangerous goods

- (1) The site senior executive for a coal mine must ensure the mine has standard operating procedures for using, handling or storing a hazardous chemical, or dangerous goods, at the mine.
- (2) In developing a standard operating procedure under subsection (1), the site senior executive must ensure regard is had to the safety data sheet for the chemical or goods.

56F Handling or storing hazardous chemicals and dangerous goods

- (1) This section applies to a person who has an obligation under the Act to manage risk at a coal mine in relation to handling or storing a hazardous chemical or dangerous goods.

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- (2) The person must ensure the chemical or goods are handled or stored at the mine in a way that is appropriate to the nature of the chemical or goods, so the chemical or goods are—
 - (a) protected against damage and deterioration; and
 - (b) secured to prevent loss, misuse and theft; and
 - (c) for a liquid—bundled to contain spillage.
- (3) In managing the risk mentioned in subsection (2), the person must have regard to—
 - (a) the hazardous properties of the chemical or goods; and
 - (b) any chemical or physical reaction between the chemical or goods and another substance or mixture, including a substance that may be generated by the reaction and that could be hazardous; and
 - (c) the nature of the work to be carried out with the chemical or goods; and
 - (d) any structure, plant or system of work—
 - (i) that is used in the use, handling, storage or production of the chemical or goods; or
 - (ii) that could interact with the chemical or goods at the mine.

56G Monitoring, and taking action about, hazardous chemicals and dangerous goods

- (1) The site senior executive for a coal mine must ensure appropriate monitoring in relation to a hazardous chemical, or dangerous goods, at the mine is carried out to—

- (a) check the location and amount of the chemical or goods on-site; and
 - (b) check for deterioration of the chemical or goods, or any packaging of the chemical or goods; and
 - (c) ensure the chemical or goods are fit for intended use; and
 - (d) detect leaks, spills and unintended emissions of the chemical or goods; and
 - (e) detect misuse, theft or other loss of the chemical or goods.
- (2) The monitoring must be carried out under any standard operating procedure or other procedure that applies to the monitoring.
 - (3) The site senior executive for the coal mine must ensure a hazardous chemical is, or dangerous goods are, disposed of under section 56I if the monitoring shows—
 - (a) deterioration of the chemical or goods; or
 - (b) unfitness for use of the chemical or goods.

56H Standard operating procedure for dealing with leaks and spills

- (1) The site senior executive for a coal mine must ensure the mine has a standard operating procedure for dealing with leaks and spills of a hazardous chemical, or dangerous goods, at the mine.
- (2) In developing a standard operating procedure under subsection (1), the site senior executive must ensure regard is had to the safety data sheet for the chemical or goods.

56I Disposal

- (1) This section applies to—
 - (a) a hazardous chemical, or dangerous goods, at a coal mine if the chemical or goods are—
 - (i) deteriorated; or
 - (ii) past the use-by date; or
 - (iii) no longer required for use at the mine, including, for example, because the mine is to be abandoned; and
 - (b) a thing contaminated by a hazardous chemical, or dangerous goods, mentioned in paragraph (a).
- (2) The site senior executive for the coal mine must ensure the chemical, goods or thing is disposed of—
 - (a) in accordance with—
 - (i) the safety data sheet for the chemical or goods; or
 - (ii) information provided, under section 46(2)(a) of the Act, by the manufacturer, importer or supplier of the chemical or goods; and
 - (b) in a way that does not create an unacceptable level of risk during operations at the mine, after the mine's operations stop or after the mine is abandoned.
- (3) The site senior executive for the coal mine must ensure the site of the following things are shown on the plans of the mine workings under section 67 of the Act—
 - (a) a permanent disposal facility for a hazardous chemical or dangerous goods;

-
- (b) another disposal area for a hazardous chemical or dangerous goods.

Division 4 Possible major hazard facilities

6 Insertion of new ch 2, pt 7, div 5

Chapter 2, part 7—

insert—

Division 5 Miscellaneous

57A First aid measures

The site senior executive for a coal mine must ensure the mine has the first aid measures recommended in the safety data sheet for each hazardous chemical, or dangerous goods, at the mine.

57B Records

- (1) The site senior executive for a coal mine must ensure a record is kept at the mine of each of the following things relating to a hazardous chemical, or dangerous goods, at the mine—
- (a) quantity and location on site;
 - (b) date of receipt or production;
 - (c) use, sale or disposal, if any;
 - (d) deterioration or product failure, if any;
 - (e) leak, spill, unintended emission, misuse, theft or other loss, if any.
- (2) The site senior executive must ensure a record about the disposal of a hazardous chemical, or

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dangerous goods, on site—

- (a) is kept at the mine until the mine's coal mining operations stop; and
 - (b) after the mine's coal mining operations stop, is given to the chief executive.
- (3) The site senior executive must ensure a record under subsection (1) about a matter other than a matter mentioned in subsection (2) is kept at the mine until the hazardous chemical, or dangerous goods, to which the record relates have been used, disposed of, or removed from site.

7 Amendment of s 64 (Providing personal protective equipment)

Section 64—

insert—

- (2) For subsection (1)(a)(i), if the hazard relates to a hazardous chemical or dangerous goods, the coal mine operator must have regard to the safety data sheet for the chemical or goods.

8 Insertion of new ch 6, part 3

Chapter 6—

insert—

Part 3

**Transitional provisions
for Mining Legislation
(Classification of
Chemicals)
Amendment Regulation
2019**

389 Definitions for part

In this part—

former, for a provision, means as in force before the commencement.

new, for a provision, means as in force from the commencement.

390 Existing hazardous substances and dangerous goods at coal mine

- (1) This section applies in relation to—
 - (a) a hazardous substance, as defined under former section 54, at a coal mine before the commencement;
 - (b) dangerous goods at a coal mine before the commencement;
 - (c) any thing containing, or being used to transport at a coal mine—
 - (i) a hazardous substance mentioned in paragraph (a); or
 - (ii) dangerous goods mentioned in paragraph (b).
- (2) New section 56C does not apply to the substance, goods or thing.
- (3) To remove any doubt, it is declared that subsection (2) does not limit or affect an obligation relating to the marking or labelling of the substance, goods or thing that applies to the substance, goods or thing under—
 - (a) a former provision of this regulation; or
 - (b) a document mentioned in new section 56C(4).

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391 Existing standard operating procedure relating to hazardous substances

- (1) This section applies to a standard operating procedure—
 - (a) complying with former section 56; and
 - (b) in effect immediately before the commencement.
- (2) During the transition period, the standard operating procedure is taken to be a standard operating procedure complying with new sections 56E and 56H.
- (3) However, a site senior executive for a coal mine to whom new section 56E applies must start to develop a standard operating procedure complying with new section 56E no later than 2 months after the commencement.
- (4) Also, a site senior executive for a coal mine to whom new section 56H applies must start to develop a standard operating procedure complying with new section 56H no later than 2 months after the commencement.
- (5) In this section—

transition period means the period—

 - (a) starting on the commencement; and
 - (b) ending 6 months after the commencement.

9 Amendment of sch 1C (Types of high potential incidents for section 198(2)(b) of the Act)

Schedule 1C, item 10(k), ‘substance’—

omit, insert—

chemical

10 Insertion of new schs 2AAA–2AAD

After schedule 2—

insert—

Schedule 2AAA Classification of mixtures

section 54, definition *GHS*

1 Purpose of this schedule

The tables in this schedule replace some of the tables in the GHS.

Note—

See the definition of *GHS* in section 54.

Table 1 Classification of mixtures containing respiratory or skin sensitisers

Cut-off values/concentration limits of ingredients of a mixture classified as either a respiratory sensitiser or a skin sensitiser that would trigger classification of the mixture.

Item	Ingredient classification	Mixture classification		
		Skin sensitiser	Respiratory sensitiser	
		All physical states	Solid / liquid	Gas
1	Skin sensitiser Category 1	$\geq 1.0\%$		
2	Skin sensitiser Subcategory 1A	$\geq 0.1\%$		
3	Skin sensitiser Subcategory 1B	$\geq 1.0\%$		

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4	Respiratory sensitiser Category 1	$\geq 1.0\%$	$\geq 0.2\%$
5	Respiratory sensitiser Subcategory 1A	$\geq 0.1\%$	$\geq 0.1\%$
6	Respiratory sensitiser Subcategory 1B	$\geq 1.0\%$	$\geq 0.2\%$

Note—

Table 1 replaces table 3.4.5 in the GHS, p. 151.

Table 2 Classification of mixtures containing carcinogens

Cut-off values/concentration limits of ingredients of a mixture classified as a carcinogen that would trigger classification of the mixture.

Item	Ingredient classification	Mixture classification	
		Category 1A carcinogen	Category 1B carcinogen
1	Category 1 carcinogen	$\geq 0.1\%$	
2	Category 2 carcinogen		$\geq 1.0\%$

Notes—

- 1 The concentration limits in table 2 apply to solids and liquids (w/w units) and gases (v/v units).
- 2 Table 2 replaces table 3.6.1 in the GHS, p. 166.

Table 3 Classification of mixtures containing reproductive toxicants

Cut-off values/concentration limits of ingredients of a mixture classified as a reproductive toxicant or for effects on or via lactation that would trigger classification of the mixture.

Item	Ingredient classification	Mixture classification		
		Category 1 reproductive toxicant	Category 2 reproductive toxicant	Additional category for effects on or via lactation
1	Category 1 reproductive toxicant	≥ 0.3%		
2	Category 2 reproductive toxicant		≥ 3.0%	
3	Additional category for effects on or via lactation			≥ 0.3%

Notes—

- 1 The concentration limits in table 3 apply to solids and liquids (w/w units) and gases (v/v units).
- 2 Table 3 replaces table 3.7.1 in the GHS, p. 180.

Table 4 Classification of mixtures containing specific target organ toxicants (single exposure)

Cut-off values/concentration limits of ingredients of a mixture classified as a specific target organ toxicant that would trigger classification of the mixture.

Item	Ingredient classification	Mixture classification	
		Category 1	Category 2
1	Category 1 specific target organ toxicant	Concentration ≥10%	1.0% ≤ concentration < 10%
2	Category 2 specific target organ toxicant		Concentration ≥10%

[s 10]

Notes—

- 1 The concentration limits in table 4 apply to solids and liquids (w/w units) and gases (v/v units).
- 2 Table 4 replaces table 3.8.2 in the GHS, p. 192.

Table 5 Classification of mixtures containing specific target organ toxicants (repeated exposure)

Cut-off values/concentration limits of ingredients of a mixture classified as a specific target organ toxicant that would trigger classification of the mixture.

Item	Ingredient classification	Mixture classification	
		Category 1	Category 2
1	Category 1 specific target organ toxicant	Concentration $\geq 10\%$	$1.0\% \leq$ concentration $< 10\%$
2	Category 2 specific target organ toxicant		Concentration $\geq 10\%$

Notes—

- 1 The concentration limits in table 5 apply to solids and liquids (w/w units) and gases (v/v units).
- 2 Table 5 replaces table 3.9.3 in the GHS, p. 203.

Schedule 2AAB Safety data sheets

section 54, definition *safety data sheet*

1 Safety data sheet—content

- (1) A safety data sheet for a hazardous chemical or dangerous goods must—
 - (a) contain unit measures expressed in Australian legal units of measurement under

-
- the *National Measurement Act 1960* (Cwlth); and
- (b) state the date it was last reviewed or, if it has not been reviewed, the date it was prepared; and
 - (c) state the name, and the Australian address and business telephone number of—
 - (i) the manufacturer of the chemical or goods; or
 - (ii) the importer of the chemical or goods, who must be resident in Australia; and
 - (d) state an Australian business telephone number from which information about the chemical or goods can be obtained in an emergency; and
 - (e) be in English.
- (2) A safety data sheet for a hazardous chemical or dangerous goods must state the following information about the chemical or goods—
- (a) Section 1: Identification: Product identifier and chemical identity;
 - (b) Section 2: Hazard(s) identification;
 - (c) Section 3: Composition and information on ingredients, in accordance with schedule 2AAC;
 - (d) Section 4: First aid measures;
 - (e) Section 5: Firefighting measures;
 - (f) Section 6: Accidental release measures;
 - (g) Section 7: Handling and storage, including how the chemical or goods may be safely used;
 - (h) Section 8: Exposure controls and personal protection;

[s 10]

- (i) Section 9: Physical and chemical properties;
 - (j) Section 10: Stability and reactivity;
 - (k) Section 11: Toxicological information;
 - (l) Section 12: Ecological information;
 - (m) Section 13: Disposal considerations;
 - (n) Section 14: Transport information;
 - (o) Section 15: Regulatory information;
 - (p) Section 16: Any other relevant information.
- (3) The safety data sheet must use the headings and be set out in the order set out in subsection (2).
- (4) The safety data sheet must be in English.

Note—

Section 54, definition *safety data sheet* provides that section 2 will apply instead of section 1 in particular cases.

2 Safety data sheet—research chemical, waste product or sample for analysis

A safety data sheet for a hazardous chemical that is a research chemical, waste product or sample for analysis must—

- (a) be in English; and
- (b) state the name, Australian address and business telephone number of—
 - (i) the manufacturer of the chemical; or
 - (ii) the importer of the chemical, who must be resident in Australia; and
- (c) state that full identification or hazard information is not available for the chemical, and in the absence of full identification or hazard information, a precautionary approach must be taken by a

-
- person using, handling or storing the chemical; and
- (d) state the chemical identity or structure of the chemical or its chemical composition, as far as is reasonably practicable; and
 - (e) state any known or suspected hazards related to the chemical; and
 - (f) state any precautions that a person using, handling or storing the chemical must take to the extent that the precautions have been identified.

Schedule 2AAC Disclosure of ingredients in safety data sheet

schedule 2AAB, section 1(2)(c)

1 Purpose of this schedule

This schedule sets out the way in which the ingredients of a hazardous chemical or dangerous goods must be disclosed in Section 3: Composition and information on ingredients, in accordance with schedule 2AAC, of a safety data sheet prepared under this regulation.

Note—

See schedule 2AAB, section 1(2)(c).

2 Identity of ingredients to be disclosed

- (1) This section applies if an ingredient in a hazardous chemical or dangerous goods causes the correct classification of the chemical or goods to include a hazard class and hazard category

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mentioned in table 1.

- (2) The identity of the ingredient must be disclosed in English on the safety data sheet for the chemical or goods.

Table 1

Column 1	Column 2	Column 3
Item	GHS hazard class	GHS hazard category
1	Acute toxicity—oral	Category 1 Category 2 Category 3 Category 4
2	Acute toxicity—dermal	Category 1 Category 2 Category 3 Category 4
3	Acute toxicity—inhalation	Category 1 Category 2 Category 3 Category 4
4	Respiratory sensitiser	Category 1
5	Skin sensitiser	Category 1
6	Mutagenicity	Category 1A Category 1B Category 2
7	Carcinogenicity	Category 1A

Column 1	Column 2	Column 3
Item	GHS hazard class	GHS hazard category
		Category 1B
		Category 2
8	Toxic to reproduction	Category 1A
		Category 1B
		Category 2
		Additional category for effects on or via lactation
9	Target organ toxicity—single exposure	Category 1
		Category 2
		Category 3
10	Target organ toxicity—repeat exposure	Category 1
		Category 2
11	Aspiration hazards	Category 1
12	Skin corrosion or irritation	Category 1A
		Category 1B
		Category 1C
		Category 2
13	Serious eye damage or eye irritation	Category 1
		Category 2A

3 Generic names used to disclose identity of ingredients

- (1) This section applies if an ingredient of a hazardous chemical or dangerous goods must be disclosed under section 2.

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- (2) The ingredient—
- (a) may be disclosed by its generic name if—
 - (i) the ingredient causes the correct classification of the chemical or goods to include a hazard class and hazard category mentioned in table 2; and
 - (ii) the ingredient does not cause the correct classification of the chemical or goods to include any other hazard class and hazard category in section 2, table 1; and
 - (iii) the identity of the ingredient is commercially confidential; and
 - (iv) an exposure standard for the ingredient has not been established; or
 - (b) in any other case—must be disclosed by its chemical identity.

Table 2

Column 1	Column 2
Item	Hazard class and hazard category
1	Acute toxicity (category 4)
2	Aspiration hazard (category 1)
3	Serious eye damage or eye irritation (category 2A)
4	Skin corrosion or irritation (category 2)
5	Specific target organ toxicity (single exposure) (category 3)

- (3) In this section—

exposure standard means an exposure standard in the ‘Workplace Exposure Standards for Airborne Contaminants’ published by Safe Work Australia.

Safe Work Australia means Safe Work Australia

as established under the *Safe Work Australia Act 2008* (Cwlth), section 5.

4 Disclosing proportions of ingredients

- (1) This section applies if an ingredient of a hazardous chemical or dangerous goods must be disclosed under section 2.
- (2) The proportion of the ingredient to the chemical or goods must be disclosed—
 - (a) if the exact proportion of the ingredient is not commercially confidential—as the exact proportion of the chemical, expressed as a percentage by weight or volume; or
 - (b) if the exact proportion of the ingredient is commercially confidential—as 1 of the following ranges within which the exact proportion fits, expressed as a percentage by weight or volume—
 - (i) < 10%;
 - (ii) 10–30%;
 - (iii) 30–60%;
 - (iv) > 60%;
 - (v) a range that is narrower than the range set out in subparagraph (i), (ii), (iii) or (iv).

Schedule 2AAD Correct classification of substance, mixture or article

schedule 9, definition *correct classification*

[s 11]

1 Correct classification of substance, mixture or article

- (1) A substance or mixture (other than a research chemical, sample for analysis or waste product) is ***correctly classified*** if a determination is made about whether the substance or mixture can be classified into a hazard class under the GHS including a mixture classification mentioned in schedule 2AAA.

Note—

The schedule 2AAA tables replace some tables in the GHS.

- (2) A substance or mixture that is a research chemical, sample for analysis or waste product is ***correctly classified*** if, so far as is reasonably practicable having regard to the known or suspected properties of the substance or mixture—
- (a) a determination is made about the identity of the substance or mixture; and
 - (b) a determination is made about whether the substance or mixture can be classified into a hazard class under the GHS.
- (3) An article that contains a substance or mixture that may be released during the use, handling or storage of the article is ***correctly classified*** if the substance or mixture is correctly classified.

11 Amendment of sch 7A (Civil penalties)

Schedule 7A, part 3, item 1, ‘56’—

omit, insert—

56E, 56H

12 Amendment of sch 9 (Dictionary)

- (1) Schedule 9, definition *hazardous substance*—
omit.
- (2) Schedule 9—
insert—

ADG Code, for chapter 2, part 7, see section 54.

chemical identity means a name, in accordance with the nomenclature systems of the International Union of Pure and Applied Chemistry or the Chemical Abstracts Service, or a technical name, that gives a chemical a unique identity.

correct classification means the set of hazard classes and hazard categories assigned to a hazardous chemical, or dangerous goods, when they are correctly classified under schedule 2AAD.

dangerous goods see section 56.

GHS see section 54.

hazard category means a division of criteria within a hazard class in the GHS.

hazard class means the nature of a physical, health or environmental hazard under the GHS.

hazardous chemical see section 55.

research chemical see section 54.

safety data sheet see section 54.

[s 13]

Part 3 **Amendment of Mining and Quarrying Safety and Health Regulation 2017**

13 **Regulation amended**

This part amends the *Mining and Quarrying Safety and Health Regulation 2017*.

Note—

See also the amendments in the schedule.

14 **Replacement of ch 2, pt 7, div 1, sdivs 1–3**

Chapter 2, part 7, division 1, subdivisions 1 to 3—

omit, insert—

Subdivision 1 Preliminary

49A Definitions for division

In this division—

ADG Code means the Australian Code for the Transport of Dangerous Goods by Road and Rail, 7th edition, approved by the Transport and Infrastructure Council.

Note—

The ADG Code is accessible at www.ntc.gov.au.

dangerous goods see section 51.

GHS means the Globally Harmonised System of Classification and Labelling of Chemicals, Third revised edition, published by the United Nations as modified under schedule 2A.

Note—

The schedule 2A tables replace some tables in the GHS.

hazardous chemical see section 50.

research chemical means a substance or mixture that—

- (a) is manufactured in a laboratory for genuine research; and
- (b) is not for use or supply for a purpose other than analysis or genuine research.

safety data sheet means—

- (a) for a hazardous chemical that is not a research chemical, waste product or sample for analysis, or for dangerous goods—a document that complies with schedule 2B, section 1; or
- (b) for a hazardous chemical that is a research chemical, waste product or sample for analysis—a document that complies with schedule 2B, section 2.

Transport and Infrastructure Council means the council of Commonwealth, New Zealand and State Ministers, established on 11 June 1993 and known as the Transport and Infrastructure Council, but constituted so that it consists of only 1 Minister representing each of the Commonwealth and the States.

Note—

The Transport and Infrastructure Council was previously known as the Australian Transport Council.

50 Meaning of *hazardous chemical*

A ***hazardous chemical*** is a substance, mixture or article that satisfies the criteria for a hazard class in the GHS (including a classification mentioned in schedule 2A), but does not include a substance, mixture or article that satisfies the criteria solely for 1 of the following hazard classes—

- (a) acute toxicity—oral—category 5;

[s 14]

- (b) acute toxicity—dermal—category 5;
- (c) acute toxicity—inhalation—category 5;
- (d) skin corrosion/irritation—category 3;
- (e) serious eye damage/eye irritation—category 2B;
- (f) aspiration hazard—category 2;
- (g) flammable gas—category 2;
- (h) acute hazard to the aquatic environment—category 1, 2 or 3;
- (i) chronic hazard to the aquatic environment—category 1, 2, 3 or 4;
- (j) hazardous to the ozone layer.

Note—

The schedule 2A tables replace some tables in the GHS.

51 Meaning of *dangerous goods*

Dangerous goods means anything defined under the ADG Code as—

- (a) dangerous goods; or
- (b) goods too dangerous to be transported.

Subdivision 2 Information about hazardous chemicals and dangerous goods

52 Register of hazardous chemicals and dangerous goods

- (1) The site senior executive for a mine must ensure the following things are recorded in a register at the mine—

-
- (a) a hazardous chemical used, handled, stored or produced at the mine;
 - (b) dangerous goods used, handled, stored or produced at the mine;
 - (c) the current safety data sheet for a hazardous chemical mentioned in paragraph (a) or dangerous goods mentioned in paragraph (b).
- (2) The site senior executive must ensure the register is readily accessible by each worker required to use, handle, store or produce a hazardous chemical, or dangerous goods, at the mine.

52A Manufacturers, importers and suppliers must mark or label substances

- (1) This section applies to a manufacturer, importer or supplier of a substance for use at a mine as mentioned in section 43(2)(a) of the Act.
- (2) Without limiting section 43(2)(a) of the Act, the manufacturer, importer or supplier must ensure the substance is correctly marked or labelled when the substance is provided for use at the mine.
- (3) A substance is *correctly marked or labelled* if the mark or label complies with applicable requirements relating to the mark or label stated in—
 - (a) the GHS; or
 - (b) a guideline; or
 - (c) the ADG Code.

53 Labelling and giving information about hazardous chemicals and dangerous goods

- (1) The site senior executive for a mine must ensure

[s 14]

the following things are correctly marked or labelled—

- (a) a hazardous chemical used, handled, stored or produced at the mine;
 - (b) dangerous goods used, handled, stored or produced at the mine;
 - (c) any thing containing, or being used to transport, a hazardous chemical mentioned in paragraph (a) or dangerous goods mentioned in paragraph (b).
- (2) A hazardous chemical, dangerous goods, or a thing mentioned in subsection (1)(c) is ***correctly marked or labelled*** if a mark or label—
- (a) warns persons of the presence of the chemical or goods; and
 - (b) identifies the chemical or goods; and
 - (c) to the extent necessary for managing risk, provides basic information about using, handling, storing, producing or transporting the chemical or goods.
- (3) If it is not practicable to mark or label a hazardous chemical mentioned in subsection (1)(a), or dangerous goods mentioned in subsection (1)(b), the site senior executive must ensure a notice that gives the warning, identification and basic information mentioned in subsection (2)(c) is placed in a conspicuous place as near as practicable to the chemical or goods.
- (4) Also, the site senior executive must ensure a mark, label or notice under this section complies with applicable requirements relating to the mark, label or notice stated in—
- (a) the GHS; or
 - (b) a guideline; or

- (c) the ADG Code; or
- (d) AS 1345,
- (5) This section does not apply in relation to a mineral or quarry material.
- (6) In this section—

AS 1345 means the Australian Standard for the identification of the contents of piping, conduits and ducts as in force from time to time under that designation (regardless of the edition or year of publication of the standard).

quarry material see the *Forestry Act 1959*, schedule 3.

Subdivision 3 Dealing with hazardous chemicals and dangerous goods

54 Selecting hazardous chemicals and dangerous goods

The site senior executive for a mine must ensure a hazardous chemical, or dangerous goods, selected for use at the mine does not create an unacceptable level of risk to a person when used, handled or stored under standard work instructions.

55 Standard work instructions for using, handling and storing hazardous chemicals and dangerous goods

- (1) The site senior executive for a mine must ensure the mine has standard work instructions for using, handling or storing a hazardous chemical, or dangerous goods, at the mine.
- (2) In developing a standard work instruction under

[s 14]

subsection (1), the site senior executive must ensure regard is had to the safety data sheet for the chemical or goods.

56 Handling or storing hazardous chemicals and dangerous goods

- (1) This section applies to a person who has an obligation under the Act to manage risk at a mine in relation to handling or storing a hazardous chemical or dangerous goods.
- (2) The person must ensure the chemical or goods are handled or stored at the mine in a way that is appropriate to the nature of the chemical or goods, so the chemical or goods are—
 - (a) protected against damage and deterioration; and
 - (b) secured to prevent loss, misuse and theft; and
 - (c) for a liquid—bunded to contain spillage.
- (3) In managing the risk mentioned in subsection (2), the person must have regard to—
 - (a) the hazardous properties of the chemical or goods; and
 - (b) any chemical or physical reaction between the chemical or goods and another substance or mixture, including a substance that may be generated by the reaction and that could be hazardous; and
 - (c) the nature of the work to be carried out with the chemical or goods; and
 - (d) any structure, plant or system of work—
 - (i) that is used in the use, handling, storage or production of the chemical or goods; or

-
- (ii) that could interact with the chemical or goods at the mine.

57 Monitoring, and taking action about, hazardous chemicals and dangerous goods

- (1) The site senior executive for a mine must ensure appropriate monitoring in relation to a hazardous chemical, or dangerous goods, at the mine is carried out to—
 - (a) check the location and amount of the chemical or goods on-site; and
 - (b) check for deterioration of the chemical or goods, or any packaging of the chemical or goods; and
 - (c) ensure the chemical or goods are fit for intended use; and
 - (d) detect leaks, spills and unintended emissions of the chemical or goods; and
 - (e) detect misuse, theft or other loss of the chemicals or goods.
- (2) The monitoring must be carried out under any standard work instruction or other procedure that applies to the monitoring.
- (3) The site senior executive for the mine must ensure a hazardous chemical is, or dangerous goods are, disposed of under section 59 if the monitoring shows—
 - (a) deterioration of the chemical or goods; or
 - (b) unfitness for use of the chemical or goods.

58 Standard work instruction for dealing with leaks and spills

- (1) The site senior executive for a mine must ensure

[s 14]

the mine has a standard work instruction for dealing with leaks and spills of a hazardous chemical, or dangerous goods, at the mine.

- (2) In developing a standard work instruction under subsection (1), the site senior executive must ensure regard is had to the safety data sheet for the chemical or goods.

59 Disposal

- (1) This section applies to—
- (a) a hazardous chemical, or dangerous goods, at a mine if the chemical or goods are—
 - (i) deteriorated; or
 - (ii) past the use-by date; or
 - (iii) no longer required for use at the mine, including, for example, because the mine is to be abandoned; and
 - (b) a thing contaminated by a hazardous chemical, or dangerous goods, mentioned in paragraph (a).
- (2) The site senior executive for the mine must ensure the chemical, goods or thing is disposed of—
- (a) in accordance with—
 - (i) the safety data sheet for the chemical or goods; or
 - (ii) information provided, under section 43(2)(a) of the Act, by the manufacturer, importer or supplier of the chemical or goods; and
 - (b) in a way that does not create an unacceptable level of risk during operations at the mine, after the mine's operations stop or after the mine is abandoned.

-
- (3) The site senior executive for the mine must ensure the following things are shown on the plans of the mine workings under section 58 of the Act—
- (a) a permanent disposal facility for a hazardous chemical or dangerous goods;
 - (b) another disposal area for a hazardous chemical or dangerous goods.

15 Omission of s 61 (Register of hazardous substances and dangerous goods)

Section 61—

omit.

16 Replacement of ss 62 and 63

Sections 62 and 63—

omit, insert—

62 First aid measures and personal protective equipment

The site senior executive for a mine must ensure the mine has the first aid measures, and personal protective equipment, recommended in the safety data sheet for each hazardous chemical, or dangerous goods, at the mine.

63 Records

- (1) The site senior executive for a mine must ensure a record is kept at the mine of each of the following things relating to a hazardous chemical, or dangerous goods, at the mine—
- (a) quantity and location on site;
 - (b) date of receipt or production;
 - (c) use, sale or disposal, if any;

[s 17]

- (d) deterioration or product failure, if any;
 - (e) leak, spill, unintended emission, misuse, theft or other loss, if any.
- (2) The site senior executive must ensure a record about the disposal of a hazardous chemical, or dangerous goods, on site—
- (a) is kept at the mine until the mine's operations stop; and
 - (b) after the mine's operations stop, is given to the chief executive.
- (3) The site senior executive must ensure a record under subsection (1) about a matter other than a matter mentioned in subsection (2) is kept at the mine until the hazardous chemical, or dangerous goods, to which the record relates have been used, disposed of, or removed from site.

17 Insertion of new ch 4, pt 1, hdg

Before section 152—

insert—

**Part 1 Transitional provisions
for Mining and
Quarrying Safety and
Health Regulation 2017**

18 Insertion of new ch 4, part 2

Chapter 4—

insert—

Part 2

Transitional provisions for Mining Legislation (Classification of Chemicals) Amendment Regulation 2019

166 Definitions for part

In this part—

former, for a provision, means as in force before the commencement.

new, for a provision, means as in force from the commencement.

167 Existing hazardous substances and dangerous goods at mine

- (1) This section applies in relation to—
 - (a) a hazardous substance, as defined under former schedule 7, at a mine before the commencement; and
 - (b) dangerous goods, as defined under former schedule 7, at a mine before the commencement; and
 - (c) any thing containing, or being used to transport at a mine—
 - (i) a hazardous substance mentioned in paragraph (a); or
 - (ii) dangerous goods mentioned in paragraph (b).
- (2) The site senior executive for the mine must comply with former section 53 in relation to the substance, goods or thing as if the *Mining*

[s 19]

Legislation (Classification of Chemicals) Amendment Regulation 2019 had not commenced.

168 Existing standard work instruction relating to hazardous substances and dangerous goods

- (1) This section applies to a standard work instruction—
 - (a) complying with former section 55 or 58; and
 - (b) in effect immediately before the commencement.
- (2) During the transition period, the standard work instruction is taken to be a standard work instruction complying with new sections 55 and 58.
- (3) However, a site senior executive for a mine to whom new section 55 applies must start to develop a standard work instruction complying with new section 55 no later than 2 months after the commencement.
- (4) Also, a site senior executive for a mine to whom new section 58 applies must start to develop a standard work instruction complying with new section 58 no later than 2 months after the commencement.
- (5) In this section—

transition period means the period—

 - (a) starting on the commencement; and
 - (b) ending 6 months after the commencement.

19 Insertion of new schs 2A–2D

After schedule 2—

insert—

Schedule 2A Classification of mixtures

section 49A, definition *GHS*

1 Purpose of this schedule

The tables in this schedule replace some of the tables in the GHS.

Note—

See the definition of *GHS* in section 49A.

Table 1 Classification of mixtures containing respiratory or skin sensitisers

Cut-off values/concentration limits of ingredients of a mixture classified as either a respiratory sensitiser or a skin sensitiser that would trigger classification of the mixture.

Item	Ingredient classification	Mixture classification		
		Skin sensitiser	Respiratory sensitiser	
		All physical states	Solid / liquid	Gas
1	Skin sensitiser Category 1	$\geq 1.0\%$		
2	Skin sensitiser Subcategory 1A	$\geq 0.1\%$		
3	Skin sensitiser Subcategory 1B	$\geq 1.0\%$		
4	Respiratory sensitiser Category 1		$\geq 1.0\%$	$\geq 0.2\%$
5	Respiratory sensitiser Subcategory 1A		$\geq 0.1\%$	$\geq 0.1\%$

[s 19]

6	Respiratory sensitiser Subcategory 1B	$\geq 1.0\%$	$\geq 0.2\%$
---	--	--------------	--------------

Note—

Table 1 replaces table 3.4.5 in the GHS, p. 151.

Table 2 Classification of mixtures containing carcinogens

Cut-off values/concentration limits of ingredients of a mixture classified as a carcinogen that would trigger classification of the mixture.

Item	Ingredient classification	Mixture classification	
		Category 1A carcinogen	Category 1B carcinogen
1	Category 1 carcinogen	$\geq 0.1\%$	
2	Category 2 carcinogen		$\geq 1.0\%$

Notes—

- 1 The concentration limits in table 2 apply to solids and liquids (w/w units) and gases (v/v units).
- 2 Table 2 replaces table 3.6.1 in the GHS, p. 166.

Table 3 Classification of mixtures containing reproductive toxicants

Cut-off values/concentration limits of ingredients of a mixture classified as a reproductive toxicant or for effects on or via lactation that would trigger classification of the mixture.

Item	Ingredient classification	Mixture classification		
		Category 1 reproductive toxicant	Category 2 reproductive toxicant	Additional category for effects on or via lactation
1	Category 1 reproductive toxicant	≥ 0.3%		
2	Category 2 reproductive toxicant		≥ 3.0%	
3	Additional category for effects on or via lactation			≥ 0.3%

Notes—

- 1 The concentration limits in table 3 apply to solids and liquids (w/w units) and gases (v/v units).
- 2 Table 3 replaces table 3.7.1 in the GHS, p. 180.

Table 4 Classification of mixtures containing specific target organ toxicants (single exposure)

Cut-off values/concentration limits of ingredients of a mixture classified as a specific target organ toxicant that would trigger classification of the mixture.

Item	Ingredient classification	Mixture classification	
		Category 1	Category 2
1	Category 1 specific target organ toxicant	Concentration ≥10%	1.0% ≤ concentration < 10%
2	Category 2 specific target organ toxicant		Concentration ≥10%

[s 19]

Notes—

- 1 The concentration limits in table 4 apply to solids and liquids (w/w units) and gases (v/v units).
- 2 Table 4 replaces table 3.8.2 in the GHS, p. 192.

Table 5 Classification of mixtures containing specific target organ toxicants (repeated exposure)

Cut-off values/concentration limits of ingredients of a mixture classified as a specific target organ toxicant that would trigger classification of the mixture.

Item	Ingredient classification	Mixture classification	
		Category 1	Category 2
1	Category 1 specific target organ toxicant	Concentration $\geq 10\%$	$1.0\% \leq$ concentration $< 10\%$
2	Category 2 specific target organ toxicant		Concentration $\geq 10\%$

Notes—

- 1 The concentration limits in table 5 apply to solids and liquids (w/w units) and gases (v/v units).
- 2 Table 5 replaces table 3.9.3 in the GHS, p. 203.

Schedule 2B Safety data sheets

section 49A, definition *safety data sheet*

1 Safety data sheet—content

- (1) A safety data sheet for a hazardous chemical or dangerous goods must—
 - (a) contain unit measures expressed in Australian legal units of measurement under

-
- the *National Measurement Act 1960* (Cwlth); and
- (b) state the date it was last reviewed or, if it has not been reviewed, the date it was prepared; and
 - (c) state the name, and the Australian address and business telephone number of—
 - (i) the manufacturer of the chemical or goods; or
 - (ii) the importer of the chemical or goods, who must be resident in Australia; and
 - (d) state an Australian business telephone number from which information about the chemical or goods can be obtained in an emergency; and
 - (e) be in English.
- (2) A safety data sheet for a hazardous chemical or dangerous goods must state the following information about the chemical or goods—
- (a) Section 1: Identification: Product identifier and chemical identity;
 - (b) Section 2: Hazard(s) identification;
 - (c) Section 3: Composition and information on ingredients, in accordance with schedule 2C;
 - (d) Section 4: First aid measures;
 - (e) Section 5: Firefighting measures;
 - (f) Section 6: Accidental release measures;
 - (g) Section 7: Handling and storage, including how the chemical or goods may be safely used;
 - (h) Section 8: Exposure controls and personal protection;

[s 19]

- (i) Section 9: Physical and chemical properties;
 - (j) Section 10: Stability and reactivity;
 - (k) Section 11: Toxicological information;
 - (l) Section 12: Ecological information;
 - (m) Section 13: Disposal considerations;
 - (n) Section 14: Transport information;
 - (o) Section 15: Regulatory information;
 - (p) Section 16: Any other relevant information.
- (3) The safety data sheet must use the headings and be set out in the order set out in subsection (2).
- (4) The safety data sheet must be in English.

Note—

Section 49A, definition *safety data sheet* provides that section 2 will apply instead of section 1 in particular cases.

2 Safety data sheet—research chemical, waste product or sample for analysis

A safety data sheet for a hazardous chemical that is a research chemical, waste product or sample for analysis must—

- (a) be in English; and
- (b) state the name, Australian address and business telephone number of—
 - (i) the manufacturer of the chemical; or
 - (ii) the importer of the chemical, who must be resident in Australia; and
- (c) state that full identification or hazard information is not available for the chemical, and in the absence of full identification or hazard information, a precautionary approach must be taken by a

-
- person using, handling or storing the chemical; and
- (d) state the chemical identity or structure of the chemical or its chemical composition, as far as is reasonably practicable; and
 - (e) state any known or suspected hazards related to the chemical; and
 - (f) state any precautions that a person using, handling or storing the chemical must take to the extent that the precautions have been identified.

Schedule 2C Disclosure of ingredients in safety data sheet

schedule 2B, section 1(2)(c)

1 Purpose of this schedule

This schedule sets out the way in which the ingredients of a hazardous chemical or dangerous goods must be disclosed in Section 3: Composition and information on ingredients, in accordance with schedule 2C, of a safety data sheet prepared under this regulation.

Note—

See schedule 2B, section 1(2)(c).

2 Identity of ingredients to be disclosed

- (1) This section applies if an ingredient in a hazardous chemical or dangerous goods causes the correct classification of the chemical or goods to include a hazard class and hazard category

[s 19]

mentioned in table 1.

- (2) The identity of the ingredient must be disclosed in English on the safety data sheet for the chemical or goods.

Table 1

Column 1	Column 2	Column 3
Item	GHS hazard class	GHS hazard category
1	Acute toxicity—oral	Category 1 Category 2 Category 3 Category 4
2	Acute toxicity—dermal	Category 1 Category 2 Category 3 Category 4
3	Acute toxicity—inhalation	Category 1 Category 2 Category 3 Category 4
4	Respiratory sensitiser	Category 1
5	Skin sensitiser	Category 1
6	Mutagenicity	Category 1A Category 1B Category 2
7	Carcinogenicity	Category 1A

Column 1	Column 2	Column 3
Item	GHS hazard class	GHS hazard category
		Category 1B
		Category 2
8	Toxic to reproduction	Category 1A
		Category 1B
		Category 2
		Additional category for effects on or via lactation
9	Target organ toxicity—single exposure	Category 1
		Category 2
		Category 3
10	Target organ toxicity—repeat exposure	Category 1
		Category 2
11	Aspiration hazards	Category 1
12	Skin corrosion or irritation	Category 1A
		Category 1B
		Category 1C
		Category 2
13	Serious eye damage or eye irritation	Category 1
		Category 2A

3 Generic names used to disclose identity of ingredients

- (1) This section applies if an ingredient of a hazardous chemical or dangerous goods must be disclosed under section 2.

[s 19]

- (2) The ingredient—
- (a) may be disclosed by its generic name if—
 - (i) the ingredient causes the correct classification of the chemical or goods to include a hazard class and hazard category mentioned in table 2; and
 - (ii) the ingredient does not cause the correct classification of the chemical or goods to include any other hazard class and hazard category in section 2, table 1; and
 - (iii) the identity of the ingredient is commercially confidential; and
 - (iv) an exposure standard for the ingredient has not been established; or
 - (b) in any other case—must be disclosed by its chemical identity.

Table 2

Column 1	Column 2
Item	Hazard class and hazard category
1	Acute toxicity (category 4)
2	Aspiration hazard (category 1)
3	Serious eye damage or eye irritation (category 2A)
4	Skin corrosion or irritation (category 2)
5	Specific target organ toxicity (single exposure) (category 3)

- (3) In this section—

exposure standard means an exposure standard in the ‘Workplace Exposure Standards for Airborne Contaminants’ published by Safe Work Australia.

Safe Work Australia means Safe Work Australia

as established under the *Safe Work Australia Act 2008* (Cwlth), section 5.

4 Disclosing proportions of ingredients

- (1) This section applies if an ingredient of a hazardous chemical or dangerous goods must be disclosed under section 2.
- (2) The proportion of the ingredient to the chemical or goods must be disclosed—
 - (a) if the exact proportion of the ingredient is not commercially confidential—as the exact proportion of the chemical, expressed as a percentage by weight or volume; or
 - (b) if the exact proportion of the ingredient is commercially confidential—as 1 of the following ranges within which the exact proportion fits, expressed as a percentage by weight or volume—
 - (i) < 10%;
 - (ii) 10–30%;
 - (iii) 30–60%;
 - (iv) > 60%;
 - (v) a range that is narrower than the range set out in subparagraph (i), (ii), (iii) or (iv).

Schedule 2D Correct classification of substance, mixture or article

schedule 7, definition *correct classification*

[s 20]

1 Correct classification of substance, mixture or article

- (1) A substance or mixture (other than a research chemical, sample for analysis or waste product) is ***correctly classified*** if a determination is made about whether the substance or mixture can be classified into a hazard class under the GHS including a mixture classification mentioned in schedule 2A.

Note—

The schedule 2A tables replace some tables in the GHS.

- (2) A substance or mixture that is a research chemical, sample for analysis or waste product is ***correctly classified*** if, so far as is reasonably practicable having regard to the known or suspected properties of the substance or mixture—
- (a) a determination is made about the identity of the substance or mixture; and
 - (b) a determination is made about whether the substance or mixture can be classified into a hazard class under the GHS.
- (3) An article that contains a substance or mixture that may be released during the use, handling or storage of the article is ***correctly classified*** if the substance or mixture is correctly classified.

20 Amendment of sch 7 (Dictionary)

- (1) Schedule 7, definitions *ADG Code*, *dangerous goods*, *hazardous substance*, *MSDS*, *NICNAS summary report* and *SDS*—
omit.
- (2) Schedule 7—
insert—

ADG Code, for chapter 2, part 7, see section 49A.

chemical identity means a name, in accordance with the nomenclature systems of the International Union of Pure and Applied Chemistry or the Chemical Abstracts Service, or a technical name, that gives a chemical a unique identity.

correct classification means the set of hazard classes and hazard categories assigned to a hazardous chemical, or dangerous goods, when they are correctly classified under schedule 2D.

dangerous goods see section 51.

GHS see section 49A.

hazard category means a division of criteria within a hazard class in the GHS.

hazard class means the nature of a physical, health or environmental hazard under the GHS.

hazardous chemical see section 50.

research chemical see section 49A.

safety data sheet see section 49A.

- (3) Schedule 7, definition *biological monitoring*, ‘substance’—
omit, insert—
chemical

Part 4 Minor and consequential amendments

21 Regulation amended

The schedule amends the regulation it mentions.

Schedule 1 Regulation amended

section 21

Mining and Quarrying Safety and Health Regulation 2017

- 1 Sections 5, 6(3), 8(2), 9(2), 11(1), 12, 20(1), 32(1), 33, 40, 41(1), 49, 68(1), 69(1), 72, 73(1), 79(1), 80, 81, 82(1), 85, 87(1), 88(1), 90(1), 91, 92, 93(1), 94, 95(1), 111, 115, 116, 117(1), 118, 119(1), 120, 122, 124, 125, 126(1), 127(1), 128, 130(1), 132, 135(1), 138(1), 143(1), 144(1), 146, 147 and 148, after ‘The site senior executive’—**

insert—

for a mine

- 2 Section 6(3)(d), ‘substance’—**

omit, insert—

chemical

- 3 Sections 6(4), 36A(1), 74(1), 75, 76, 77(1), 78 and 96(1), after ‘the site senior executive’—**

insert—

for a mine

- 4 Sections 68(2) and (3), 73(2), 88(2), 93(4), 119(2), 126(3) and 143(3), ‘The site senior executive must’—**

omit, insert—

The site senior executive for a mine must also

-
- 5 Sections 104(1), 105(1) and 109(1), after ‘or site senior executive’—**
insert—
for a mine
- 6 Sections 6(4), 45(b)(vi), 75(d) and 111(a), ‘substances’—**
omit, insert—
chemicals
- 7 Sections 10(2) and (3), 28(2), 36(2), 37(2), 38(2), 60C(2), 60D(2), 97(2), 114(2), 129(2), 131(2), 133(2), 134(2), 136(2), 139(2) and (3), 140(2), 141(2), 142(2) and 145(2), after ‘The site senior executive’—**
insert—
for the mine
- 8 Sections 14, 15(1), 16(2), 17, 18(1), 19, 36(3), 36A(5), 39(2), 42, 43, 47, 66(1), 67(2), 70(1), 71(2), 84(2)(b), 103(1), 110, 112(1), 113(1) and 123(1), after ‘the site senior executive’—**
insert—
for the mine
- 9 Chapter 2, part 7, heading, ‘substances’—**
omit, insert—
chemicals
- 10 Chapter 2, part 7, division 1, heading, ‘substances’—**
omit, insert—
chemicals

11 Schedule 1, item 5(h), ‘substance’—

omit, insert—

chemical

ENDNOTES

- 1 Made by the Governor in Council on 18 July 2019.
- 2 Notified on the Queensland legislation website on 19 July 2019.
- 3 The administering agency is the Department of Natural Resources, Mines and Energy.

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