



13 FEB 2007

Queensland Transport

Mr Scott Gregson
The General Manager
Adjudication Branch
Australian Competition and
Consumer Commission
PO Box 1199
Dickson ACT 2602

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Dear Mr Gregson

Re: Agsafe application for revocation and substitution A91027 and A91028 – interested party consultation

Thank you for your letter of 5 January 2007 to Mr Bruce Wilson, the Director-General of Queensland Transport about the Agsafe application for revocation and substitution A91027 and A91028. The Director-General has asked me to respond on his behalf.

The following are responses to each of the nine questions outlined in Attachment A of your letter:

- (1) *The Transport Operations (Road Use Management) Act 1995* and the *Transport Operations (Road Use Management – Dangerous Goods) Regulation 1998* is the legislation administered by Queensland Transport (QT) that governs the transport of dangerous goods by road in Queensland. The legislation applies to anyone whether manufacturer, distributor, retailer or consumer who is responsible for transporting dangerous goods. This would apply to any agricultural or veterinary chemicals that are listed in the Australian Dangerous Goods Code as dangerous goods.
- (2) QT employs Transport Inspectors who are authorised officers under the Act and they carryout on-road enforcement of the dangerous goods legislation. Queensland Police are also authorised officers under the Act.
- (3) There is no requirement in the legislation about accreditation with Agsafe.
- (4) Generally there are no sanctions applicable. However, under the Act a business can be excluded from dangerous goods transport as a result of repeated non-compliance with the Act.
- (5) There is no mechanism for issue of compliance certificates.
- (6) Occasionally QT may receive a complaint about a transport operator not complying with the law. In these circumstances the complaint would be investigated and any appropriate action taken.
- (7) We have not received complaints about Agsafe's Guardian Program.

- (8) QT has no role in the business conducted by Agsafe or its members and therefore does not offer an opinion of support or otherwise on their ability to sanction businesses not accredited with them.
- (9) I am unaware of any particular experience of QT with the Agsafe accreditation scheme and therefore cannot provide comments about the benefits of the scheme.

If you require more information, please contact Mr Steve Venning, Land Transport and Safety Division on (07) 3253 4142. Mr Venning will be pleased to assist.

Yours sincerely



Mike Stapleton

A/Executive Director (Land Transport and Safety)