

South Australia

Rail Safety National Law National Regulations Variation Regulations 2015

under the *Rail Safety National Law (South Australia) Act 2012*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Rail Safety National Law National Regulations Variation Regulations 2015*.

2—Commencement

These regulations will come into operation on 1 July 2015.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Rail Safety National Law National Regulations 2012*

4—Variation of regulation 56—Periodic information to be supplied

Regulation 56(1)(a)(i)—delete "the type of tests conducted and the class of rail safety work undertaken by the rail safety workers who were tested;" and substitute:

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- (A) the type of tests conducted; and
- (B) the class of rail safety work undertaken by the rail safety workers who were tested; and

- (C) if any such test returned a result that suggests that a rail safety worker was in breach of a relevant safety requirement concerning the use of drugs or alcohol at a relevant time—details of any such result; and
- (D) if a rail safety worker refused to submit to any such test—details of any such refusal;

5—Variation of regulation 57—Reporting of notifiable occurrences

Regulation 57(1)(b)(xxi)—delete subparagraph (xxi) and substitute:

- (xxi) the notification that a rail safety worker, when required to do so under the drug and alcohol management program of a rail transport operator, has failed to submit to a test in accordance with the testing regime set out in the operator's drug and alcohol management program;
- (xxia) the notification that a rail safety worker has returned a result to a test undergone by the worker in accordance with the testing regime set out in the drug and alcohol management program of a rail transport operator that suggests that the worker was in breach of the operator's drug and alcohol management program at a relevant time;

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

on the unanimous recommendation of the responsible Ministers and with the advice and consent of the Executive Council
on 3: 'Lwpg'4237