

**TRANSPORT OF DANGEROUS  
GOODS BY ROAD OR RAIL  
COMPETENT AUTHORITIES  
PANEL RULES**



**Prepared by**  
National Transport Commission

*National Transport Commission*

**Transport of Dangerous Goods by Road or Rail - Competent Authorities Panel Rules**

These Rules were made by the National Transport Commission on 16 June 2008, and were approved by the Australian Transport Council on 15 August 2008.

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## REPORT OUTLINE

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<b>Objectives:</b>	To establish rules for the operation of the Competent Authorities Panel.
<b>NTC Programs:</b>	Safety
<b>Key Milestones:</b>	Made by the National Transport Commission on 16 June 2008, and approved by the Australian Transport Council on 15 August 2008.
<b>Abstract:</b>	The paper sets out the rules of the Competent Authorities Panel to be established to support the operation of laws modelled on the National Transport Commission (Model Legislation – Transport of Dangerous Goods by Road or Rail) Regulations 2007. Under those laws the Panel will be charged with certain functions, particularly in relation to ensuring national consistency in the consideration of applications to operate at variance to the Australian Dangerous Goods Code or the transport of dangerous goods by road or rail legislation within State and Territory jurisdictions. The Panel will be established on the Australian Transport Council approving these Rules, and will include representatives of the Competent Authorities of the participating jurisdictions as voting members.
<b>Purpose:</b>	For adoption
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## FOREWORD

The National Transport Commission (NTC) is an independent body established under Commonwealth legislation and funded by the Australian Government and States and Territories. The NTC has an on-going responsibility to develop, monitor, and maintain uniform or nationally consistent regulatory and operational reforms relating to road transport, rail transport and inter-modal transport.

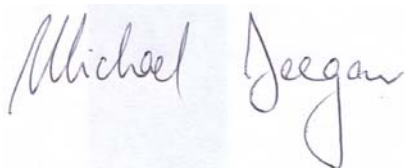
In February 2007 the Australian Transport Council approved the Australian Dangerous Goods Code 7<sup>th</sup> Edition (ADG7) package. The ADG7 package consisted of the 7<sup>th</sup> Edition of the Australian Dangerous Goods Code and the National Transport Commission (Model Legislation – Transport of Dangerous Goods by Road or Rail) Regulations 2007.

The Code is a technical safety code setting out detailed instructions for the safe transport of dangerous goods by road and rail. It does not regulate the transport of explosives of Class 1 or radioactive material nor handle security matters.

Consultation has been extensive and ongoing since 2002. A Dangerous Goods Steering Group derived from the 40 members of the Advisory Committee on the Transport of Dangerous Goods was consulted on the development of the Code and model legislation. The NTC released the draft legislative package for public consultation in July and September 2005 and again in September 2006 for final review by the panel of experts and jurisdictions.

This report sets out the Rules of the Competent Authorities Panel. The National Transport Commission made these rules on 16 June 2008, and they were approved by the Australian Transport Council on 15 August 2008. Under the laws that will be based on the model legislation, the Panel will be charged with certain functions, particularly mutual recognition of determinations, exemptions and approvals and consideration of applications to operate at variance to the Australian Dangerous Goods Code or the State and Territory legislation for transport of dangerous goods by road or rail intended to have application in multiple jurisdictions. The Panel was established by the Australian Transport Council, and will include representatives of the Competent Authorities of the participating jurisdictions as voting members. The ADG7 package is intended to be implemented in 2008.

The NTC would like to sincerely thank all those parties who have contributed to the many phases in developing these Rules.

A handwritten signature in blue ink that reads "Michael Deegan". The signature is written in a cursive style and is positioned above the printed name.

Michael Deegan  
Chairman



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## **INTRODUCTION**

These Rules establish the Competent Authorities Panel, and set out how it is to operate. Each Competent Authority of each participating jurisdiction is a member of the Panel and is entitled to appoint a representative to participate and vote on its behalf in relation to decisions of the Panel.

The Panel has a number of functions including:

- the consideration of applications and referrals in respect of determinations, approvals and exemptions to vary the operation of the Australian Dangerous Goods Code and the making of decisions intended to ensure the consistent national application of the Code and its implementing legislation; and
- providing advice to the Australian delegation to the UN Sub-Committee of Experts on the Transport of Dangerous Goods and nominating the technical expert to support the delegation.

When making decisions on the operation of the Code and its implementing legislation the Panel must have regard to inter-modal liaison harmonisation.

It is expected that the bulk of the Panel's business will be to make decisions on whether determinations, approvals and exemptions that permit operations at variance to the Code should apply across Australia.

The Panel has a pivotal role in ensuring that the integrity and effectiveness of the national scheme for the transport of dangerous goods is maintained. It will operate as a 'clearinghouse' for important decisions allowing nationally consistent application of the model legislation and optimising mutual recognition arrangements across jurisdiction borders.

## PART 1 – PRELIMINARY MATTERS

### 1. Establishment of the Panel

The Competent Authorities Panel is to be established, and is to operate, in accordance these Rules.

### 2. Definitions

(1) In these Rules –

**business day** means a day other than a Saturday, a Sunday or a day appointed as a public holiday under the public holidays legislation of the jurisdiction in which the main office of the Secretariat is located;

**Chairperson** means the person appointed as the Chairperson of the Panel under rule 6;

**dangerous goods legislation** means any legislation of a jurisdiction that regulates the transport of dangerous goods on land and that corresponds, or that substantially corresponds, to the model legislation;

**model legislation** means the model legislation set out in the schedules to the *National Transport Commission (Model Legislation – Transport of Dangerous Goods by Road or Rail) Regulations 2007* (Cth);

**NTC** means the National Transport Commission;

**observer** (except in rule 5(3)) means:

- (a) a permanent observer appointed under rule 5(1); or
- (b) a person or body invited by the Panel to be an observer under rule 5(3);

**Panel** means the Competent Authorities Panel;

**Secretariat** means the Federal Department of Infrastructure, Transport, Regional Development and Local Government, or any other person or body nominated by the Panel to be its Secretariat;

**writing** includes all methods of representing or reproducing words, figures or symbols in a visible form, and expressions referring to writing are to be construed accordingly.

- (2) If a term used in these Rules is defined in the model legislation, for the purposes of these Rules the term has that defined meaning, unless the contrary intention appears.
- (3) A reference in these Rules to a vote cast is a reference to a valid vote only.

## **PART 2 – FUNCTIONS OF THE PANEL**

### **3. Functions of the Panel**

- (1) The functions of the Panel are –
  - (a) to assess applications and matters referred to it for decision by a Competent Authority, as provided under any dangerous goods legislation; and
  - (b) to facilitate national liaison to ensure a consistent application of the ADG Code and relevant legislation for dangerous goods transport; and
  - (c) to facilitate national liaison with Competent Authorities for Class 1 and Class 7 goods to ensure consistency and minimise conflict with parallel legislative frameworks covering these other dangerous goods; and
  - (d) to provide advice to the Australian Delegation to the UN Sub-Committee of Experts on the Transport of Dangerous Goods, and when necessary, to nominate the technical expert to support the Delegation; and
  - (f) to facilitate the establishment of common training and licensing systems across participating jurisdictions; and
  - (g) to do anything else it is authorised to do under any dangerous goods legislation or these Rules.
- (2) When making decisions on the operation of the ADG Code or any matter under dangerous goods legislation, the Panel must have regard to inter-modal harmonisation.

## **PART 3 – MEMBERSHIP OF THE PANEL**

### **4. Membership of the Panel**

- (1) Each Competent Authority is a member of the Panel.
- (2) Subrule (1) applies even if there is more than one Competent Authority in a jurisdiction.
- (3) Each member of the Panel is entitled to appoint a person to represent it at Panel meetings and to vote on its behalf when any matter is put to a vote of the Panel.

### **5. Observer status on the Panel**

- (1) The following are permanent observers of the Panel –
  - (a) any person who, or body that –
    - (i) is in a jurisdiction that does not have dangerous goods legislation in force; and
    - (ii) has responsibilities for administering any law that relates to the transport of dangerous goods on land –

and who, or that, is invited by the Panel to be a permanent observer; and

- (b) the NTC.
- (2) A permanent observer of the Panel is entitled to have a representative attend all Panel meetings, and is to be notified of all Panel meetings.
- (3) The Panel may invite one or more observers to attend particular Panel meetings.
- (4) Representatives of observers may participate in the deliberations of the Panel, but may not cast a vote in relation to any decision of the Panel.
- (5) Observers must notify the Chairperson in writing of who will represent them at a Panel meeting at least 24 hours before the meeting is to start.

## **6. Appointment of the Chairperson**

- (1) The Panel member representatives must appoint a Chairperson from among the Panel member representatives.
- (2) The term of office for a Chairperson is 2 years.
- (3) If the office of Chairperson becomes vacant, or the person holding the office of Chairperson is unable or unwilling to fulfil the duties of office, the Panel must appoint a new Chairperson.
- (4) The Panel may dismiss a person from the office of Chairperson.

## **7. Appointment of Panel member representatives**

- (1) A person becomes a Panel member representative of a Competent Authority on receipt by the Chairperson of advice in writing from the Chief Executive of the Authority that the person has been appointed as the Authority's representative on the Panel.

Note: In the case of appointments before a Chairperson has been elected, or when the office of Chairperson is vacant, rule 27(3) provides that notices of appointment can be given to the person responsible for the operation of the Secretariat.

- (2) A Chief Executive of a Competent Authority may appoint a person as the Authority's representative on the Panel for a specified period.
- (3) A Chief Executive of a Competent Authority may appoint as the Authority's representative on the Panel the holder of a specified office.
- (4) If a Chief Executive makes an appointment under subrule (3) –
  - (a) the holder of the office specified by the Chief Executive becomes the Authority's representative on the Panel on receipt by the Chairperson of advice in writing of the appointment; and
  - (b) while the appointment remains in force, all subsequent holders of that office become the Authority's representative on the Panel on attaining that office (regardless of whether or not the person is acting in the office or has been appointed to the office); and

- (c) if the name of the office changes, the appointment is to be read as if it referred to the office by the new name, unless there is no express link between the names in the legislation or administrative orders of the jurisdiction in which the office is located; and
  - (d) if more than one person holds the office, the Chief Executive must specify which of those office holders is to be the Authority's representative on the Panel.
- (5) In appointing a person to be the Authority's representative on the Panel, the Chief Executive must have regard to the potential for a conflict of interest to arise of the sort referred to rule 19.

## **8. Appointment of alternates**

- (1) A Competent Authority, or a Competent Authority's Panel member representative, may appoint another person from the Authority to take the Authority's representative's place at a meeting of the Panel.

Example: A Panel member representative might appoint an alternate to vote on a matter in respect of which the Panel member representative has a conflict of interest.

- (2) To make such an appointment, the Authority or representative must give the Chairperson notice in writing of the appointment at least 24 hours before the meeting is to start.
- (3) If a person is acting as an alternate at a meeting of the Panel, a reference in these Rules to a Panel member representative (except in subrule (1)) is to be read as including a reference to the person acting as an alternate.
- (4) In appointing a person to be an alternate, the Authority or representative must have regard to the potential for a conflict of interest to arise of the sort referred to in rule 19.

## **9. Cessation of appointment as a Panel member representative**

- (1) A person ceases to be a Panel member representative –
- (a) if the person's appointment as such expires or otherwise ceases under the terms of the appointment; or
  - (b) if the Chief Executive of the Authority that the person represents gives the Chairperson either:
    - (i) notice in writing that the person's appointment as the Authority's representative on the Panel has been revoked; or
    - (ii) advice in writing that another person has been appointed by the Chief Executive to be the Authority's representative on the Panel (unless the appointment is made under rule 8); or
  - (c) in the case of a person who is a Panel member representative because she or he holds a specified office in the Authority that she or he represents, if she or he ceases to hold that office; or

- (d) if she or he is convicted of an indictable offence or is imprisoned for any offence;  
or
  - (e) if she or he gives her or his resignation to the Chief Executive of the Authority that she or he represents in writing.
- (2) If the Chief Executive who made an appointment to the Panel changes, the change does not of itself affect the appointment.

## **10. Obligations on member representatives and observers**

In participating in the deliberations of the Panel –

- (a) a Panel member representative, or an observer representative, who is a public servant of a jurisdiction must conduct herself or himself in accordance with any requirements that apply to her or him as a public servant in that jurisdiction; and
- (b) in any other case a Panel member representative or an observer representative must conduct herself or himself in accordance with the Australian Public Service Code of Conduct made under section 13 of the *Public Service Act 1999* of the Commonwealth and the Australian Public Service Values set out in section 10(1) of that Act (and any associated directions made under section 11 of that Act) as if she or he was a Commonwealth public servant, to the extent that those provisions are applicable to her or him.

## **PART 4 – MEETINGS AND DECISIONS OF THE PANEL**

### **11. How meetings are to be convened**

- (1) Meetings of the Panel are to be convened by the Chairperson.
- (2) A meeting is to be convened by giving all Panel member representatives written notice of the date and time at which, and the place where, the meeting is to be held at least 30 calendar days before the date the meeting is to be held.
- (3) The 30 day notice period does not apply if all of the Panel member representatives agree to waive that period.
- (4) The 30 day notice period also does not apply to meetings that are a continuation of an adjourned meeting.
- (5) The Chairperson must ensure, to the maximum extent that is practicable, that a copy of each document to be discussed at a meeting of, or relevant to a matter to be put up for decision by, the Panel accompanies the notice of the meeting, or of the matter that is to be decided (unless the Panel decides to the contrary in any particular case).

## 12. Form of meetings

Meetings may be held by whatever means are agreed by the Panel member representatives, including by video conferencing or telephone.

## 13. Control of meetings

- (1) Meetings are to be chaired by the Chairperson.
- (2) If the Chairperson is not present at a meeting, the Panel member representatives must elect one of their number who is present to chair the meeting.
- (3) If the Panel disagrees with a ruling of the Chairperson, the Panel may overturn her or his decision by approving a motion of dissent.

## 14. Voting

- (1) Each Panel member representative (including the Chairperson or an acting Chairperson) is entitled to exercise a deliberative vote on any matter that is to be decided by the Panel.
- (2) Votes of Panel member representatives are to have the following values –
  - (a) if a participating jurisdiction has only 1 Competent Authority, the vote of the Authority's representative has a value of "1";
  - (b) if a participating jurisdiction has 2 Competent Authorities, the vote of a representative of either of those Authorities has a value of "0.5";
  - (c) if a participating jurisdiction has 3 Competent Authorities, the vote of a representative of any of those Authorities has a value of "0.33";
  - (d) if a participating jurisdiction has 4 Competent Authorities, the vote of a representative of any of those Authorities has a value of "0.25";
  - (e) if a participating jurisdiction has more than 4 Competent Authorities, the vote of a representative of any of those Authorities has the value determined by the formula –
$$1 / \text{No. of Competent Authorities.}$$
- (3) In subrule (2), a *participating jurisdiction* is a jurisdiction that has dangerous goods legislation in force.
- (4) If a matter is put to a vote of the Panel, the matter is approved if –
  - (a) the combined value (as those values are determined under subrule (2)) of the votes cast on the matter is 5 or more; and
  - (b) the combined value of the votes cast approving the matter is more than half of the combined value of the votes cast.

## 15. Voting at meetings

- (1) A Panel member representative may cast a vote at a meeting of the Panel –
  - (a) if the Panel member representative is present at the meeting – in person; or
  - (b) by lodging a vote in accordance with subrule (2).
- (2) If a Panel member representative does not attend a meeting and does not appoint an alternate under rule 8 to attend the meeting, the Panel must accept a vote if it has been lodged in writing by a Panel member with the Chairperson at least 24 hours before the meeting.
- (3) In this rule, a Panel member is considered to be present at a meeting if she or he participates in the meeting by a means of communication that enables her or him to hear what is said at the meeting, to be heard by all those who are present at the meeting and to vote in the same way as those who are present in person at the meeting.

## 16. Voting without meetings

- (1) The Panel may vote on a matter without convening a meeting (for instance, by circulating emails) if:
  - (a) the Chairperson decides that a recommendation of a Competent Authority should be voted upon without convening a meeting; or
  - (b) the Panel otherwise agrees.
- (2) If subrule (1)(a) applies –
  - (a) the Chairperson must notify each Panel member representative in writing of the recommendation and the deadline for the receipt of votes; and
  - (b) the Chairperson must allow at least 10 business days for Panel member representatives to cast a vote, unless otherwise determined by the Panel; and
  - (c) to be valid, a vote must be lodged in writing with the Chairperson by the deadline specified in the Chairperson's notice.

## 17. Records of decisions

- (1) The Chairperson must ensure that minutes are made recording the decisions of each meeting of the Panel, and records are made of any decisions of the Panel that are not made at a meeting.
- (2) The Chairperson must ensure that a copy of the minutes of each meeting of the Panel is distributed to each Panel member representative and to the NTC as soon as is practicable after the meeting.
- (3) The Chairperson must ensure that a copy of the minutes recording any decision of the Panel that is not made at a meeting are distributed to each Panel member representative and to the NTC as soon as is practicable after the decision is made.

- (4) In any event, a copy of the minutes required by subrule (2) or (3) must be made available to each Panel member representative and to the NTC within 10 business days after the meeting or decision, as the case may be.

## 18. Proceedings to be confidential

Other than matters required to be recorded under rule 19 or by law, Panel member representatives and observers are to treat the proceedings of the Panel and information derived from their participation in the proceedings of the Panel as confidential.

**Note** Panel members and observers must keep confidential any commercially sensitive information provided as part of an application referred to the Panel. These Rules are not intended to abrogate any intellectual property rights that may reside in any application made to the Panel.

## 19. Disclosure of interests of members and observers

- (1) A Panel member representative or observer who has a direct or an indirect pecuniary interest in any matter being considered, or about to be considered, by the Panel must disclose the nature of that interest at a meeting of the Panel as soon as possible after becoming aware of the relevant facts.

**Example** If a Panel member representative operates a self-managed superannuation fund, the member has an indirect pecuniary interest in any assets held in the name of the fund.

- (2) A Panel member representative or observer who holds an office or possesses property as a result of which, directly or indirectly, duties or interests may be created in conflict with his or her duties as a Panel member representative or observer, must disclose that fact at a meeting of the Panel as soon as possible after becoming aware of the potential conflict.
- (3) The person chairing a meeting at which a disclosure under this rule is made must ensure that the disclosure is recorded in the minutes of the meeting, and that the minutes also record full details of who voted on any matter in respect of which the disclosure was made.
- (4) A Panel member representative or observer who is required to make a disclosure under subrule (1) or (2) must not take any part in any discussion of, or vote on, any application or other matter to which the pecuniary interest or potential conflict relates (and regardless of whether or not she or he has made the required disclosure at any relevant time) unless the Chairperson or the Panel decides otherwise.
- (5) If a Panel member representative votes on a matter in contravention of subrule (4), the vote of the Panel member representative is not a valid vote.
- (6) A Panel member representative or observer is not to be regarded as having a pecuniary interest –
  - (a) in a matter relating to the supply of goods or services to or by her or him if the goods or services are, or are to be, available to members of the public on the same terms and conditions; or
  - (b) in a contract or arrangement only because that contract or arrangement may benefit a company or other body in which she or he has a beneficial interest that does not

exceed 1% of the total nominal value of beneficial interests in that company or body; or

- (c) in any assets held by any superannuation fund if the member does not have any control of the fund or of the investments that the fund makes.

## **20. Meeting procedure**

The Panel may determine its own procedures with respect to any matters that are not dealt with in these Rules.

## **PART 5 – MATTERS REFERRED TO THE PANEL**

### **21. Matters that may be referred to the Panel**

- (1) The Panel must consider all matters referred to it for advice or decision by a Competent Authority under the dangerous goods legislation, including related administrative matters.
- (2) A Competent Authority may refer a matter to the Panel at any time for advice.

### **22. Procedure for referral of matters to the Panel**

- (1) To refer a matter to the Panel, a Competent Authority must notify the Chairperson in writing of the matter, and must provide full details of the matter upon which the Panel's advice is sought.
- (2) In notifying the Chairperson under subrule (1), the Competent Authority must –
  - (a) provide the Panel with any relevant expert opinion or advice commissioned by the Competent Authority; and
  - (b) provide the Panel with any relevant information about the applicant concerned known to the Competent Authority; and
  - (c) make an initial assessment of the matter; and
  - (d) make a recommendation to the Panel on the matter.
- (3) On receipt of a referral in writing, the Chairperson may request the Competent Authority referring the matter to do one or more of the following –
  - (a) provide more information for the Panel's consideration;
  - (b) seek further information directly from the applicant concerned;
  - (c) seek or commission further expert opinion or advice on the matter.
- (4) If satisfied that the subject of the referral does not relate to a matter on which the Panel may give advice under the dangerous goods legislation, the Chairperson may reject the referral.

- (5) Once satisfied that sufficient information on the matter referred is available for the Panel to consider the matter, the Chairperson must either –
- (a) put the matter up for consideration at the next scheduled meeting of the Panel at which it can be put under these Rules; or
  - (b) take steps to hold a vote without a meeting on the referral under rule 16.

**Note** It is not possible for the Panel to meet each time a matter referred to it is ready for consideration. The Chairperson will be required to exercise discretion whether to ‘stockpile’ matters for regular scheduled meetings of the Panel or hold an out-of-session vote. Generally, out-of-session votes would be reserved for matters which are non-controversial and straightforward.

### **23. Matters the Panel must have regard to**

In deciding whether to issue a determination, approval or exemption, the Panel must have regard to –

- (a) the need to ensure the safe transport of dangerous goods, including the safety of dangerous goods vehicle drivers, other road users, the public, public property and the built and natural environment; and
- (b) the need to ensure emergency response arrangements are not compromised; and
- (c) the obligations placed on the referring Competent Authority by the dangerous goods legislation; and
- (d) the practical effect if the determination, approval or exemption is issued, and how it would be implemented; and
- (e) whether any advice given, if implemented, would be readily enforceable; and
- (f) the precedent value of the decision.

**Note** Dangerous goods legislation sets out obligations on Competent Authorities in relation to various decisions.

### **24. Panel may seek further information**

The Panel may request the Chairperson to seek further information on any matter referred to it before making any decision on the matter.

### **25. Appearance of other people before the Panel**

- (1) A person, including an applicant, may be invited to appear before the Panel if, in the opinion of the Chairperson, the appearance will be likely to assist the Panel, or if the Panel has asked that the person appear before it.
- (2) In appearing before the Panel, a person must comply with any restrictions imposed on the appearance by the Panel, and must adhere to any guidelines issued by the Panel in relation to the appearance.

## **26. Reasons must be given for advice by the Panel**

- (1) In order to ensure that the Panel operates as openly, effectively and efficiently as possible, a Panel member representative should give reasons to the Panel to justify each of her or his votes or abstentions.
- (2) The Chairperson must ensure that any statement of reasons given in relation to a vote or abstention is recorded in the records of the decisions of the Panel.

**Note** Under the dangerous goods legislation a Competent Authority may choose not to accept a decision of the Panel, but only if it records in writing the reasons for doing so.

## **PART 6 – OTHER MATTERS**

### **27. Panel Secretariat**

- (1) There is to be a Panel Secretariat.
- (2) The Panel Secretariat is to –
  - (a) facilitate the operation of the Panel by providing administrative support to the Chairperson; and
  - (b) maintain a database of the Panel's decisions; and
  - (c) facilitate liaison with the United Nations Sub-Committee of Experts on the Transport of Dangerous Goods; and
  - (d) do anything else it is required to do under these Rules
- (3) If these Rules require or otherwise provide for a thing to be given to, or to be lodged with, the Chairperson, it is sufficient for the purposes of these Rules if the thing is given to the person responsible for the operation of the Secretariat.
- (4) Subrule (3) applies even if the office of the Chairperson is vacant.

### **28. Certain Panel decisions may be published**

- (1) The Panel may publish any of its decisions, or any part of any of its decisions, that it believes it would be in the public interest to publish.
- (2) In addition to any other means of publication the Panel considers to be appropriate, the Chairperson must ensure that a copy of any thing that the Panel has authorised to be published be publicly available on the Internet.

### **29. Managing records and information**

- (1) The Chairperson must manage the records that are necessary to support the Panel in accordance with any legislation relating to records management that is applicable in the jurisdiction in which the main office of the Secretariat is located.

**Note** This obligation would include archiving and access under freedom of information legislation. Generally, all information relevant to the reasons for the decision of the Panel should be retained. In addition, records of decisions must be maintained in accordance with rule 17.

- (2) Records relating to decisions of the Panel must be made available by the Chairperson to Panel member representatives on request.
- (3) In managing any records that contain confidential or commercially sensitive information, the Chairperson must ensure that the records are only accessible to those authorised by law to have access to the information.
- (4) In this rule *records* includes any information obtained by the Panel relating to its functions.

### **30. Complaints procedure**

- (1) Any complaints concerning the application process should be referred to the Chairperson of the Panel for consideration.

**Note** The Panel is only capable of receiving complaints relating to its processes and practices, not the substance of decisions as such. The dangerous goods legislation sets out a review process for such complaints. Reference should also be made to the judicial and administrative review processes of each participating jurisdiction.

- (2) The Panel may specify a procedure for how the Chairperson should handle complaints.

### **31. Succession provision**

The Panel is the successor in law to the Competent Authorities Panel that operated for the purposes of the laws supporting ADG 6.

### **32. Amendment of these Rules**

These Rules may only be amended with the approval of the Australian Transport Council, or by a body delegated by that Council to exercise that approval power.