

NORTHERN TERRITORY OF AUSTRALIA

**DANGEROUS GOODS AMENDMENT (SHOPGOODS FIREWORKS)
REGULATIONS 2014**

Subordinate Legislation No. 2 of 2014

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NORTHERN TERRITORY OF AUSTRALIA

Subordinate Legislation No. 2 of 2014*

Dangerous Goods Amendment (Shopgoods Fireworks) Regulations 2014

I, Sally Gordon Thomas, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Dangerous Goods Act*.

Dated 10 February 2014

S. G. THOMAS
Administrator

By Her Honour's Command

R. J. LAMBLEY
Minister for Health
acting for
Minister for Business

* Notified in the *Northern Territory Government Gazette* on 26 February 2014.

1 Citation

These Regulations may be cited as the *Dangerous Goods Amendment (Shopgoods Fireworks) Regulations 2014*.

2 Regulations amended

These Regulations amend the *Dangerous Goods Regulations*.

3 Regulation 4 amended

Regulation 4(3)

omit, insert

- (3) Subregulation (1) does not apply if:
- (a) the explosives are shopgoods fireworks; or
 - (b) the person is exempt under regulation 91.

4 Regulation 5 inserted

After regulation 4

insert

5 Storage of shopgoods fireworks

A person must not store shopgoods fireworks on premises except under and in accordance with the terms and conditions of a licence.

Maximum penalty: 40 penalty units.

5 Regulation 5H amended

After regulation 5H(5)

insert

- (5A) The Commissioner must, within 28 days after receiving a request for a certificate, issue, or refuse to issue, the certificate.

6 Regulation 5L amended

Regulation 5L(1)(c)

omit, insert

- (c) the licensee has been found guilty of:
- (i) an offence against the Act or these Regulations; or
 - (ii) an offence against a law of another jurisdiction that substantially corresponds with the Act or these Regulations; or

7 Regulation 91 amended

(1) Regulation 91(1)

omit

(1) For

insert

For

(2) Regulation 91

omit

4(3)

insert

4(3)(b)

(3) Regulation 91(c), Table 5

omit

Shopgoods fireworks

200 kg

(4) Regulation 91(2)

omit

8 Regulation 92 amended

- (1) Regulation 92(4)
omit
Shopgoods fireworks and distress
insert
Distress
- (2) Regulation 92(6)
omit

9 Regulation 92A inserted

After regulation 92

insert

92A Conditions of storage – shopgoods fireworks

- (1) A person who stores shopgoods fireworks otherwise than for sale must store them in accordance with Australian Standard AS 2187, Explosives – Storage, transport and use.
- (2) If shopgoods fireworks are stored for retail sale:
- (a) the fireworks must not be displayed, stored or exposed in any window, unenclosed place or space, or on a floor other than the ground floor; and
 - (b) if displayed for sale, the fireworks must be stored in a spark-proof container or display counter which is:
 - (i) conspicuously labelled on the outside with the word "FIREWORKS" in letters not less than 50 mm in height; and
 - (ii) not accessible to the public; and
 - (iii) kept closed except when fireworks are being placed in or removed from it; and
 - (c) if stored in a room to which the public does not have access, the fireworks must be stored in their original outer packaging or in a spark-proof container with the words "FIREWORKS" in letters not less than 50 mm in height on the outside of the container and the entrance to the room must be marked with

the words "EXPLOSIVES – FIREWORKS" in letters not less than 75 mm in height; and

- (d) not more than 50 kg of fireworks are to be stored in an outer packaging or spark-proof container at any time; and
- (e) not more than 100 kg of fireworks are to be stored in a display counter at any time; and
- (f) artificial lighting, matches or similar materials must not be placed in a spark-proof container or a display cabinet containing fireworks; and
- (g) all outer packaging, spark-proof containers and display cabinets containing fireworks must be located away from exits and other areas where they could impede the free movement of persons in the premises; and
- (h) all outer packaging, spark-proof containers and display cabinets containing fireworks must be located away from other dangerous goods and combustible material; and
- (i) at least one notice bearing the words "DANGER – FIREWORKS – NO SMOKING" in letters not less than 75 mm in height must be conspicuously displayed on the outside of each spark-proof container or display cabinet in which the fireworks are displayed for sale; and
- (j) all areas in which the fireworks are stored or sold must have:
 - (i) installed a fire hose reel or water type portable fire extinguisher with a rating of not less than 2A; and
 - (ii) access to a 3A40BE dry chemical powder fire extinguisher; and
- (k) all areas in which the fireworks are stored or sold must be approved by an officer or the Director of the Fire and Rescue Service.

10 Regulations further amended

The Schedule has effect.

11 Expiry of Regulations

These Regulations expire the day after they commence.

Schedule Regulations further amended

regulation 10

| Provision | Amendment | |
|--|------------------------------|----------------|
| | <i>omit</i> | <i>insert</i> |
| regulation 93 | 92 shall | 92 or 92A must |
| Schedule 2, item 1(d)(iii), Column 2 | 500 | 600 |
| | 1000 | 1200 |
| | 2000 | 2500 |
| Schedule 3 column headed " Penalty units " | 2 <i>(all references)</i> | 4 |
