

ORIGINAL PAPER

NO. 21

NORTHERN TERRITORY OF AUSTRALIA

*Laid upon the Table*

Regulations 1980, No. **40**\*

Regulations under the Explosives Act

I, JOHN ARMSTRONG ENGLAND, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the Explosives Act.

Dated this                      day of **19 SEP 1980**, 1980.

**J. A. ENGLAND**

Administrator

By His Honour's Command

**I. L. TUXWORTH**

Minister for Mines and Energy

AMENDMENTS OF THE EXPLOSIVES REGULATIONS

1. INTERPRETATION

Regulation 4(1) of the Explosives Regulations is amended -

- (a) by inserting in the definition of "propellant" before "Class 3" the words "Class 1 or"; and
- (b) by omitting from the definition of "quantity" the word "weight" and substituting "mass".

2. NEW REGULATION

The Explosives Regulations are amended by inserting after regulation 4 the following regulation:

"4A. AMMONIUM NITRATE PRESCRIBED AS EXPLOSIVE

"For the purposes of Parts III, IV, V, VI and Division 1 of Part VII, ammonium nitrate (explosives grade) is prescribed as an explosive."

\* Notified in the Northern Territory Government Gazette on **3 OCT 1980**, 1980.

A. B. CAUDELL, Government Printer of the Northern Territory

## Explosives

### 3. REPEAL

Regulations 10, 11, 12 and 13 of the Explosives Regulations are repealed.

### 4. REPEAL AND SUBSTITUTION

Regulation 20 of the Explosives Regulations is repealed and the following regulation substituted:

#### "20. PERMIT IN RESPECT OF UNAUTHORIZED EXPLOSIVES

"(1) An application for a permit under section 16(9) of the Act shall be in accordance with Form 17A.

"(2) A permit under section 16(9) of this Act shall be in accordance with Form 17."

### 5. REPEAL AND SUBSTITUTION

Regulation 21 of the Explosives Regulations is repealed and the following regulation substituted:

#### "21. EXPLOSIVES NOT TO BE IMPORTED UNLESS PACKED AS PRESCRIBED

"A person shall not import or bring an explosive into the Territory unless -

- (a) it is packed in accordance with the provisions of Division 2 of Part IV; and
- (b) detonators are clearly and legibly marked, in capital letters not less than 3 millimetres high with the words 'DANGER - DETONATOR EXPLOSIVE' or 'DANGER - BLASTING CAP EXPLOSIVE', or such other wording as is approved by the Chief Inspector."

### 6. DEFINITION AND PROVISIONS REGULATING MANUFACTURE OF AMMONIUM NITRATE

(1) Regulation 23 of the Explosives Regulations is amended by omitting sub-regulation (2) and substituting the following sub-regulation:

"(2) The following conditions are prescribed for regulating the manufacture of A.N. mixture:

- (a) A.N. mixture shall not be manufactured unless a current Explosives Licence (Manufacturing) is held;
- (b) all ammonium nitrate used in the manufacture of A.N. mixture shall be of a type approved by the Chief Inspector;

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- (c) A.N. mixture shall be manufactured only under the immediate supervision of a person -
  - (i) approved in writing by the Chief Inspector;
  - (ii) approved in writing by the person holding the licence referred to in paragraph (a) to supervise the manufacture; and
  - (iii) who holds a current Northern Territory Shotfirer's Certificate endorsed for the use of A.N. mixture;
- (d) all additives to A.N. mixture shall be between 5.5 and 6 per cent by mass, unless otherwise approved by an inspector;
- (e) subject to paragraph (d), an oil soluble dye shall be added to A.N. mixture and, unless otherwise approved, no other additives shall be added to A.N. mixture;
- (f) appliances used in the mixing of A.N. mixture -
  - (i) shall be constructed of material compatible with ammonium nitrate; and
  - (ii) shall not be made of zinc, copper or their alloys, or galvanized iron;
- (g) no naked light or fire shall be allowed within 30 metres of a place where A.N. mixture is manufactured;
- (h) where A.N. mixture is manufactured in a building -
  - (i) the floor shall be made of concrete and kept clean at all times;
  - (ii) at least 2 portable fire extinguishers, of a type approved by the Chief Inspector or an inspector, shall be kept in an accessible position in the building and maintained in an effectively functioning condition at all times;
  - (iii) the following notice, in red capital letters at least 150 millimetres high on a white background, shall be displayed in a conspicuous place:  

'DANGER - EXPLOSIVES  
NO SMOKING OR NAKED LIGHTS'; and
  - (iv) A.N. mixture shall be manufactured in accordance with such other directions as are given by the Chief Inspector or an inspector.";
- (j) each electric motor installed at a place where A.N. mixture is manufactured shall be of a type approved by an inspector;
- (k) each electric switch installed or operated at a place where A.N. mixture is manufactured shall be of a type that is flame proof;

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- (l) all equipment made or partly made of metal that is installed at a place where A.N. mixture is manufactured shall be electrically bonded and connected to the earth;
- (m) the quantities of ammonium nitrate and any other ingredient used in manufacturing A.N. mixture that are taken in any day into a place where A.N. mixture is manufactured shall not exceed the quantities needed for the manufacture of A.N. mixture at that place on that day; and
- (n) no explosive shall be taken into a place where A.N. mixture is manufactured and no ingredient used or capable of being used in the manufacture of an explosive shall be taken into such a place unless it is an ingredient of an A.N. mixture manufactured in that place.

(2) Regulation 23 of the Explosives Regulations is amended by adding at the end thereof the following sub-regulation:

"(3) The manufacture of A.N. mixture may be performed by one of the following methods:

- (a) by adding the requisite amounts of fuel oil to ammonium nitrate and then tumbling the bag until the fuel oil is evenly distributed;
- (b) by mixing the requisite ingredients by hand using a wooden shovel in a wooden trough;
- (c) by the use of a hand-operated rotary mixer;
- (d) by the use of a power-operated mixer; or
- (e) by any other method approved by the Chief Inspector or an inspector."

## 7. MANNER OF PACKING

Regulation 31 of the Explosives Regulations is amended -

- (a) by omitting from the Table therein item (2) in column 2 opposite "Class 6, Division 1" and substituting:

"(2) The explosives shall be packed in an inner package and the inner package shall be packed in an outer package. Either the outer package or the inner package shall be thoroughly waterproof."; and

- (b) by adding at the end of the Table therein the following:

"Class 7, Division 1	In an inner as well as an outer package, the inner package being hermetically sealed.	10 kilograms	20 grams
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Class 7, Division 2	In an inner as well as an outer package, the inner package being an hermetically sealed zinc or tin case.	50 kilograms	-
Class 7, Division 3	In an inner as well as an outer package, the inner package being an approved siftproof and waterproof material.	50 kilograms	- "

#### 8. NO IRON OR STEEL TO BE EXPOSED ON PACKAGES

Regulation 33(2) of the Explosives Regulations is amended by adding at the end thereof "or an explosive included in Class 7".

#### 9. MARKING OF AUTHORIZED EXPLOSIVES

Regulation 35(2)(a)(i) of the Explosives Regulations is amended by omitting "or" and substituting "and".

#### 10. REPEAL AND SUBSTITUTION

Regulation 37 of the Explosives Regulations is repealed and the following regulation substituted:

##### "37. RESTRICTION ON APPLICATION OF THIS PART

"The regulations in this Part relating to the carriage of explosives do not apply to the carriage of the following classes of explosives in the stated quantities, if those explosives are carried with all due precaution to prevent accident by fire, explosion or otherwise:

- (a) Class 1 gunpowder - less than 25 kilograms;
- (b) Class 3 gunpowder - less than 25 kilograms;
- (c) Class 4 gunpowder - less than 25 kilograms;
- (d) Class 6, Division 1, small arms ammunition - less than 500 kilograms;
- (e) Class 7, Division 3, manufactured shopgoods and fireworks - less than 50 kilograms; or
- (f) ammonium nitrate (explosives grade) - less than 500 kilograms."

#### 11. REPEAL

Regulation 42 of the Explosives Regulations is repealed.

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### 12. WHO MAY BE IN CHARGE OF VEHICLE CARRYING EXPLOSIVES, etc.

Regulation 45(2) of the Explosives Regulations is amended by inserting after "another person" the words "of at least 18 years of age".

### 13. REPEAL

Regulation 49 of the Explosives Regulations is repealed.

### 14. CARRIAGE OF EXPLOSIVES WEIGHING UP TO ONE TONNE

Regulation 50 of the Explosives Regulations is amended by omitting "550 pounds" and substituting "1 tonne".

### 15. REPEAL AND SUBSTITUTION

Regulation 51 of the Explosives Regulations is repealed and the following regulation substituted:

#### "51. CARRIAGE OF EXPLOSIVES WEIGHING MORE THAN ONE TONNE

"Explosives of a total weight exceeding one tonne may be carried in a vehicle approved by an inspector as suitably constructed for the conveyance of explosives if no other article or substance is conveyed as merchandise at the same time in or on the vehicle unless otherwise approved by an inspector."

### 16. REPEAL

Regulation 52 of the Explosives Regulations is repealed.

### 17. WEIGHT LIMIT OF EXPLOSIVES IN RELATION TO CARRYING CAPACITY OF VEHICLE

Regulation 65 of the Explosives Regulations is amended by inserting after "loaded with explosives" the words "other than ammonium nitrate (explosives grade)"

### 18. SALE OF EXPLOSIVES WHERE CHARGES ARE NOT PAID

Regulation 72(1)(a) of the Explosives Regulations is amended by omitting "Commonwealth" and substituting "Territory".

### 19. REPEAL AND SUBSTITUTION

Regulation 90 of the Explosives Regulations is repealed and the following regulation substituted:

#### "90. STORAGE OF AMMUNITION ELSEWHERE THAN IN GOVERNMENT OR LICENSED MAGAZINE

"A person may store and keep in a place other than a Government magazine or licensed magazine -

- (a) small arms ammunition included in Class 6, Division 1, explosives, if the ammunition is not for sale and is kept or stored -

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- (i) for use for lawful shooting;
  - (ii) in a place which is secure and dry and where no other explosives are kept or stored;
  - (iii) with all due precautions to prevent accident by fire, explosion or otherwise; and
  - (iv) in quantities that do not exceed 50 kilograms;
- (b) propellant powder, if the powder is not for sale and is kept or stored -
- (i) for use for filling small arms ammunition;
  - (ii) in a place which is secure and dry and in which no other explosives are kept or stored;
  - (iii) with all due precautions to prevent accident by fire, explosion or otherwise; and
  - (iv) in quantities that do not exceed 10 kilograms, unless otherwise approved by the Chief Inspector;
- (c) fireworks included in Class 7, Division 1 or 2, if the fireworks are not for sale and are kept or stored -
- (i) in a place approved by an inspector which is secure and dry and in which no other explosives are kept or stored;
  - (ii) with all due precautions to prevent accident by fire, explosion or otherwise; and
  - (iii) in quantities approved by the Chief Inspector;
- (d) fireworks included in Class 7, Division 3, manufactured shopgoods, if the fireworks are not for sale and are kept or stored -
- (i) with all due precautions to prevent accident by fire, explosion or otherwise; and
  - (ii) in quantities that do not exceed 10 kilograms; and
- (e) ammonium nitrate (explosive grade) -
- (i) in a place approved by an inspector;
  - (ii) with all due precautions to prevent accident by fire, explosion or otherwise; and
  - (iii) in quantities that do not exceed 100 kilograms."

### 20. REPEAL AND SUBSTITUTION

Regulation 92 of the Explosives Regulations is repealed and the following regulation substituted:

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### "92. STORAGE BY HOLDER OF EXPLOSIVES LICENCE (SELLING) ELSEWHERE THAN IN MAGAZINE

"The holder of an Explosives Licence (Selling) that authorizes him to sell explosives, may keep explosives, of the type and in the quantities specified below, in a place approved by an inspector, other than a Government magazine or a licensed magazine:

- (a) propellant powders - 50 kilograms;
- (b) small arms ammunition - 50 kilograms;
- (c) Class 3 explosives - 25 kilograms; or
- (d) Class 6    Division 1 - 50 kilograms  
                 Division 2 - 100 metres  
                 Division 3 - 2,000 in number."

### 21. NOTICE TO BE DISPLAYED

Regulation 93 of the Explosives Regulations is amended by adding at the end thereof the following sub-regulation:

"(2) The holder of an Explosives Licence (Selling) which allows him to sell propellant, shall prominently display at each entrance to the premises to which the licence relates, commonly used by the public, a notice in the following words:

'Licensed to sell gunpowder'."

### 22. SALES BOOK TO BE KEPT

Regulation 94 of the Explosives Regulations is amended -

- (a) by omitting from sub-regulation (1) "detonators and of Nitro-compound explosives normally used for blasting purposes." and substituting "explosives other than Class 6, Division 1, small arms ammunition and Class 7, fireworks."; and
- (b) by omitting sub-regulation (3)(iv) and substituting the following paragraph:

"(iv) state the address where the explosives are to be used;".

### 23. LICENSEE NOT TO SELL DETONATORS, etc., WITHOUT FIRST OBTAINING SIGNATURE OF PURCHASER

Regulation 95 of the Explosives Regulations is amended by omitting "detonator or any Nitro-compound explosive normally used for blasting purposes" and substituting "explosives other than a Class 6, Division 1, small arms ammunition and Class 7, fireworks".



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#### 24. PURCHASER NOT TO GIVE FALSE NAME OR ADDRESS, etc., OR OMIT TO SIGN SALES BOOK

Regulation 96 of the Explosives Regulations is amended -

- (a) by omitting "(being a detonator or a Nitro-compound explosive) that is normally used for blasting purposes -" and substituting "other than Class 6, Division 1, small arms ammunition and Class 7, fireworks -"; and
- (b) by omitting paragraph (b)(i) and substituting the following paragraph:

"(i) state the address where the explosive is to be used."

#### 25. ONLY AMMUNITION MAY BE EXPOSED FOR SALE

Regulation 97 of the Explosives Regulations is amended by inserting after "Class 6" (twice occurring) "Division 1".

#### 26. DEFINITIONS

Regulation 104 of the Explosives Regulations is amended by omitting the definition of "exploder" and substituting the following definition:

"'exploder' means a machine for firing explosive charges which has been approved by the Chief Inspector;"

#### 27. REPEAL

Regulation 105 of the Explosives Regulations is repealed and the following regulation substituted:

##### "105. SHOTFIRER'S CERTIFICATE

"(1) A person may apply to the Chief Inspector for the grant or renewal of a Shotfirer's Certificate.

"(2) An application under sub-regulation (1) -

(a) shall specify -

- (i) the applicant's full name, residential address, postal address and date of birth;
- (ii) the name and address of the applicant's present employer;
- (iii) the occupation of the applicant;
- (iv) the purpose for which the certificate is required;

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- (v) the method by which the applicant will fire explosives; and
  - (vi) details of the applicant's experience in handling and using explosives; and
- (b) shall include -
- (i) 2 recent passport-size photographs of the applicant;
  - (ii) a certificate from a registered medical practitioner within the meaning of the Medical Practitioners Registration Act stating that the applicant is not suffering from defective hearing or vision or a physical infirmity likely to interfere with the efficient and safe discharge of his duties; and
  - (iii) the prescribed fee.

"(3) Upon receipt of an application under sub-regulation (1), the Chief Inspector shall satisfy himself, by inquiry, examination or documentary evidence, whether the applicant -

- (a) is over the age of 18 years;
- (b) has sufficient fluency in the English language to be able to understand the use of explosives for the purpose or purposes for which he intends to use them and to fire explosives by the method or methods that he intends to use;
- (c) has a sound knowledge of the theory of the use of explosives for the purpose or purposes for which he intends to use them and of the firing of explosives by the method or methods that he intends to use; and
- (d) has demonstrated his practical ability to use explosives for the purpose or purposes for which he intends to use them and to fire explosives by the method or methods that he intends to use.

"(4) Where the Chief Inspector is satisfied concerning the matters referred to in sub-regulation (3), he may grant or renew a Shotfirer's Certificate.

"(5) A Shotfirer's Certificate shall specify -

- (a) the purpose or purposes for which the holder of the certificate may use explosives; and
- (b) the method or methods of firing explosives that the holder of the certificate may use.

"(6) A Shotfirer's Certificate may be granted or renewed subject to such conditions as the Chief Inspector thinks fit and, where it is so granted or renewed, the conditions shall be specified on the certificate.

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"(7) A Shotfirer's Certificate expires -

- (a) on the date, if any, specified in the certificate being a date that is not later than 30 June of the year 5 years following the date of the grant of the certificate; or
- (b) if no date is specified in the certificate, on 30 June of the year 5 years following the date of the grant of the certificate.

"(8) A Shotfirer's Certificate is not transferable.

"(9) A Shotfirer's Certificate granted or renewed under this regulation shall be in the form determined by the Chief Inspector."

#### 28. ONLY HOLDER OF SHOTFIRER'S CERTIFICATE TO EXPLODE ELECTRIC CHARGES ELECTRICALLY OR BY FUSE

Regulation 107 of the Explosives Regulations is amended by adding at the end thereof the following sub-regulations:

"(2) A person who is the holder of a Shotfirer's Certificate shall not use explosives other than for the purpose or purposes specified in his Shotfirer's Certificate.

"(3) A person who is the holder of a Shotfirer's Certificate shall not use a method of firing explosives other than a method specified in his Shotfirer's Certificate.

"(4) Where a Shotfirer's Certificate has been granted or renewed subject to conditions, the person who is the holder of that Shotfirer's Certificate shall not contravene or fail to comply with those conditions."

#### 29. PURCHASE AND POSSESSION OF EXPLOSIVES

Regulation 130A of the Explosives Regulations is amended -

- (a) by omitting sub-regulation (1);
- (b) by omitting from sub-regulation (2) "in the prescribed area" (twice occurring);
- (c) by inserting in sub-regulation (2) after "small arms ammunition," the words "propellant or fireworks,";
- (d) by omitting from sub-regulation (3) "in the prescribed area" (wherever occurring);
- (e) by omitting from sub-regulation (4) "in the prescribed area";
- (f) by omitting from sub-regulation (5) "in the prescribed area"; and

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- (g) by omitting from sub-regulation (6) ", in the prescribed area,".

### 30. NEW PART

The Explosives Regulations are amended by adding at the end of Part VIIA the following Part:

#### "PART VIIB - FIREWORKS

##### "Division 1 - Storage of Fireworks

#### "130B. APPLICATION

"Nothing in these Regulations shall apply to or restrict -

- (a) the sale or use of manufactured fireworks that are -

- (i) snaps for bonbons containing not more than 2.5 grams of composition per 100 grams of total mass;
- (ii) throwdowns containing not more than 4 grams of explosive per 100 grams of total mass and not less than 5 kilograms of non-explosive material per 100 kilogram of total mass;
- (iii) amorce caps of small sizes, approved by the Chief Inspector;
- (iv) streamer bombs not containing arsenic or antimony; or
- (v) other devices, approved by the Chief Inspector, containing small amounts of explosive; and

- (b) the sale to or use by any person over the age of 18 years of manufactured fireworks which are pyrotechnic devices designed and used for the purposes of agriculture, meteorology or signalling.

#### "130C. STORAGE OF CLASS 7, DIVISION 3, EXPLOSIVES

"Fireworks of Class 7, Division 3, explosives, when contained in their original outer packages and in a quantity exceeding 200 kilograms, shall not be stored on any premises that are accessible to the public or that are used also as dwellings unless that storage is notified to and approved by the Chief Fire Officer within the meaning of the Fire Brigades Act.

#### "130D. CLASS 7 EXPLOSIVES EXCEEDING ONE TONNE STORED ONLY IN CERTAIN CIRCUMSTANCES

"A person shall not store any fireworks of Class 7 explosives in a quantity exceeding one tonne except in a building of fire resistant construction not otherwise in general occupation within the boundaries of any city or town, unless approved by an inspector and the Chief Fire Officer within the meaning of the Fire Brigades Act.

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### "130E. STORAGE OF FIREWORKS

"Storage of fireworks at any place shall be in a manner approved by an inspector or the Chief Fire Officer within the meaning of the Fire Brigades Act, and the occupier of that place shall carry out any direction given to him by the inspector or Chief Fire Officer relating to the storage of fireworks and the prevention of fire or explosion.

### "130F. FIREWORKS FOR SALE

"Fireworks intended for sale shall be kept or stored -

- (a) in a place approved by an inspector; and
- (b) in the following manner:
  - (i) the fireworks shall not be displayed, kept or exposed for sale in any shop window or in any unenclosed place or space in the shop or on a floor other than the ground floor of a shop;
  - (ii) dummy fireworks containing no explosives and conspicuously labelled or marked 'DUMMY', may be used for the display purposes specified in sub-paragraph (i);
  - (iii) fireworks for display or immediate sale in a shop shall be kept at all times in a suitable sparkproof container with the word 'FIREWORKS' conspicuously printed on it, and the container shall not be opened except when fireworks are being placed in or removed from the container;
  - (iv) subject to sub-paragraph (iii) not more than 25 kilograms of fireworks shall be kept in any one container;
  - (v) containers in which fireworks are stored in a shop shall be kept away from exits, shop traffic and articles of a flammable nature;
  - (vi) no more than 50 kilograms of fireworks shall be kept at any counter at any one time;
  - (vii) every person selling fireworks, or in any way employed in or about premises from which fireworks are sold, shall take all due precautions for the prevention of accident by fire or explosion and access to the fireworks by any unauthorized person;
  - (viii) the occupier of any premises in which fireworks are sold shall place beside every fireworks container one 9-litres portable fire extinguisher and, if more than 50 kilograms of explosives are kept on the premises, shall notify the nearest fire brigade;

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- (ix) a person shall not keep or place matches, including Bengal matches, in a container in use under this regulation;
- (x) a person shall not place an artificial light in a display case or in a container in use under this regulation; and
- (xi) one or more notices bearing the words 'DANGER - FIREWORKS - NO SMOKING', in letters not less than 75 millimetres high, shall be conspicuously and legibly displayed at each counter or other place where fireworks are available for sale.

### "Division 2 - Displays and Display Permits

#### "130G. NOTICE OF PUBLIC FIREWORKS DISPLAY

"(1) Subject to this Division, a person who intends to hold a public fireworks display shall give notice in writing to the Chief Inspector at least 28 days before the date of the display.

"(2) The Chief Inspector may, if he is satisfied that a public fireworks display will be organized and conducted with due regard for the safety of the public and with the approval of a fire brigade within the meaning of the Fire Brigades Act, issue to a person a permit for the public fireworks display on such conditions as the Chief Inspector thinks fit.

#### "130H. DISCHARGE OF FIREWORKS PURSUANT TO PERMIT

"A person shall not discharge any manufactured firework of Class 7, Division 2, explosives, for the purpose of a public fireworks display, except pursuant to a permit issued by the Chief Inspector in respect of that display and subject to the conditions, if any, imposed by the Chief Inspector.

#### "130J. APPLICATION FOR PERMIT

"Every application for a permit to conduct a public fireworks display shall be made to the Chief Inspector.

#### "130K. PERSON UNDER 18 NOT TO BE IN CHARGE OF FIREWORKS DISPLAY

"A person under the age of 18 years shall not be in charge of or conduct any public fireworks display involving the handling or use of Class 7, Division 2, explosives.

#### "130L. MANUFACTURE WITHOUT PERMIT

"A person shall not manufacture or use any smoke-producing substance for a display or stage effect, unless he has first obtained permission from the Chief Inspector.

#### "130M. DANGER FROM PUBLIC FIREWORKS DISPLAY

"If, while a public fireworks display is being held, any police officer or fire officer within the meaning of the Fire Brigades Act, is



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of the opinion that there is danger to the spectators or that for any other reason the display should not continue, the officer may order that the display cease, and the display shall immediately cease and shall not resume until the cause of the danger is removed or made safe and the officer is of the opinion that there is no longer any reason for stopping the display.

#### "130N. ALL PERSONS TO BE KEPT AT SAFE DISTANCE

"All persons, except those engaged in discharging fireworks at a public fireworks display, shall be kept at a safe distance from the firing point behind effective barriers being not less than -

- (a) for high-level displays of skyrockets and bombshells - 100 metres from the point of launch and the front, and in the direction of flight and 50 metres along the flanks;
- (b) for low-level displays of bombardos, barrages, mines and tourlellions - 50 metres;
- (c) for ground-level displays of fountains, bouquets, candles, batteries, wheels, pigeons, waterfalls, illuminations and other set pieces - 25 metres; and
- (d) for combination displays - the appropriate distances given in paragraphs (a) to (c) inclusive for those particular groups.

#### "130P. NOTICE OR ANNOUNCEMENT OF DANGER

"A person conducting a public fireworks display shall, by conspicuous notices or by announcements over a public address system, give adequate warning of the danger of approaching within the vicinity of the firing point at that display.

#### "130Q. PLACE OF DISCHARGE

"The place from which fireworks are discharged at a public fireworks display shall be not less than 60 metres from the nearest permanent building, tent, trailer, canvas shelter, motor vehicle, road or railroad and not less than 15 metres from the nearest above-ground telephone or telegraph line, tree, power line or overhead obstruction.

#### "130R. PERSON UNDER INFLUENCE OF LIQUOR NOT TO BE IN CHARGE

"A person under the influence of intoxicating liquor shall not be in charge of or be engaged in the handling or use of fireworks at a public fireworks display and no person shall bring intoxicating liquor within the barricaded area surrounding the firing point of such fireworks.

#### "130S. MORTARS TO BE OF SUFFICIENT STRENGTH

"Mortars for firing aerial shells shall be of sufficient strength to withstand the explosion of the whole of the explosive content of any firework to be fired from it.

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### "130T. MORTARS TO BE BURIED

"Mortars for firing aerial shells shall be buried for their full length in the ground, wherever practicable or, if that is not practicable, surrounded with bags of sand to a width of not less than one metre on all sides, to prevent the lateral projection of pieces of the shell being ejected by premature explosion.

### "130U. FIRE EXTINGUISHERS AND WATER TO BE AVAILABLE

"The permittee under this Division shall cause to be available at all times in the firing area at a public fireworks display -

- (a) 2 nine-litres capacity portable fire extinguishers, fully charged and in good working order of a type approved by an inspector; and
- (b) a sufficient supply of water for fighting fires that may occur at the firing point.

### "130V. DIRECTION OF ROCKETS AND AERIAL SHELLS

"A person discharging fireworks shall direct the flight of rockets and aerial shells so that rocket sticks, unexploded shells or other debris shall fall in a safe place and not endanger persons or property.

### "130W. FIREWORKS FAILING TO FIRE

"Any fireworks which fail to fire shall not be approached before the expiration of at least 10 minutes and a misfire in a mortar shall be covered with water before removal.

### "130X. SEARCH FOR UNFIRED FIREWORKS

"A person who has conducted a public fireworks display shall, on the morning immediately following the display, make or cause to be made a search for any unfired fireworks and shall ensure that such fireworks are collected and safely disposed of."

### 31. NOTICE OF EXPLOSION, etc., TO BE GIVEN TO CHIEF INSPECTOR

Regulation 131 of the Explosives Regulations is amended by adding at the end thereof the following sub-regulations:

"(2) Where a person is injured or property is damaged by an explosion of explosives, the person in charge of the explosives shall, as soon as practicable, notify the Chief Inspector.

"(3) A notification under sub-regulation (2) shall include -

- (a) the time and place of the explosion;
- (b) the name and address of any person injured by the explosion; and
- (c) the nature and extent of any injury or damage.

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"(4) Where a person is injured by an explosion of explosives, a person shall not, other than with the permission of the Chief Inspector, disturb the site of the explosion unless to save life, relieve suffering or to prevent further damage to property.

"(5) The owner of any explosives, and any person holding a Shotfirer's Certificate using any explosives, shall take all due precautions to prevent the loss of, theft of or interference with, the explosives.

"(6) The loss of, theft of or interference with, any explosives shall be reported by the owner of the explosives, the magazine keeper or by the holder of the Shotfirer's Certificate using the explosives to the Chief Inspector and the police without delay."

### 32. PENALTY

Regulation 133 of the Explosives Regulations is amended by omitting "200 dollars" and substituting "\$1,000".

### 33. REPEAL AND SUBSTITUTION OF SCHEDULES

The Explosives Regulations are amended by repealing the First Schedule and the Second Schedule and substituting the following:

#### "SCHEDULE 1

##### FORM 1

Regulation 8

#### NORTHERN TERRITORY OF AUSTRALIA

### Explosives Act

#### APPLICATION FOR EXPLOSIVES LICENCE (IMPORTING AND EXPORTING)

TO: The Chief Inspector of Explosives

I hereby apply for a licence to import and export explosives.

1. Name .....
2. Address .....
3. Occupation .....
4. If licensed, I intend to import/export\* explosives in accordance with the particulars set out in the following table:

Explosives

Name of explosive	Class	Division	Quantity	State whether to be imported or exported
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- 
5. The place/places\* where any explosives imported will enter the Territory will be .....
6. The place/places\* where any explosives exported will leave the Territory will be .....
7. Name and address of the person transporting the explosives into/out of\* the Territory .....
8. Exported explosives will be transported into/out of\* the Territory by vehicle/boat/plane/train\*.
9. Name and address of manufacturer .....  
.....  
.....

Signature of applicant ..... Date .... / ... / ...

\* Delete if inapplicable

\_\_\_\_\_

Explosives

FORM 2

Regulation 8

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

APPLICATION FOR EXPLOSIVES LICENCE  
(MANUFACTURING)

TO: The Chief Inspector of Explosives

I hereby apply for a licence to manufacture explosives.

1. Name .....
2. Address .....
3. Postal address .....  
.....  
.....
4. Occupation.....
5. The location of the manufacturing site will be -  
.....  
.....  
.....
6. I intend to manufacture explosives by using the following  
ingredients in the following proportions:  
.....  
.....  
.....

Explosives

7. The method of manufacture will be as follows:

.....  
.....  
.....

8. The full name and address of the person in charge of manufacturing is -

.....  
.....

9. The manufactured explosives will be used at -

.....  
.....

10. The manufactured explosives will be stored at -

.....  
.....

11. The buildings that will be used for the manufacture of explosives are described as follows:

.....  
.....  
.....

Signature of applicant ..... Date .../.../...

\_\_\_\_\_



Explosives

FORM 3

Regulation 8

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

APPLICATION FOR EXPLOSIVES LICENCE  
(CARRYING)

TO: The Chief Inspector of Explosives

I hereby apply for a licence to carry explosives.

1. Name .....
2. Address .....  
.....  
.....
3. Postal address .....  
.....  
.....
4. Occupation .....
5. Make of vehicle .....Type of vehicle.....
6. Gross weight .....Registration No. ....
7. Year of manufacture .....Type of engine .....
8. The explosives quantity of each class and division of  
explosive that will be carried on any journey is as follows:

---

Name of explosive	Class	Division	Maximum quantity to be carried
-------------------	-------	----------	-----------------------------------

---

Signature of applicant ..... Date .../.../....

---

Explosives

FORM 4

Regulation 8

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

APPLICATION FOR EXPLOSIVES LICENCE  
(MAGAZINE)

TO: The Chief Inspector of Explosives

I hereby apply for a magazine licence.

1. Name .....
2. Address .....  
.....  
.....
3. Postal address .....  
.....
4. Occupation .....  
.....
5. I attach, in relation to the proposed magazine:
  - (a) a plan drawn to scale of the proposed buildings, mounds and works;
  - (b) specifications of the material to be used in the construction of the buildings, mounds and works;
  - (c) a plan drawn to scale of the area of land comprising the proposed magazine and of the surroundings of that area, showing -
    - (i) the boundaries of that area;
    - (ii) the proposed storage site and all proposed buildings, mounds and works; and
    - (iii) all railways, roads, rivers, buildings and structures within 500 metres of that area;
  - (d) a description of the area of land comprising the proposed magazine;

Explosives

(e) location of magazine:

Section .....

Hundred of .....

(f) a description of the proposed detonator storage site, including its relation to the proposed storage site for other explosives;

(g) a list of special circumstances arising from -

(i) the locality of the area;

(ii) the situation or construction of proposed buildings or works;

(iii) other factors specified in the list, which would apply in relation to the licensed magazine if this application were granted.

6. If licensed, I intend to store explosives in accordance with the particulars set out in the following table:

Name of explosive	Class	Division	Maximum quantity to be stored (state weight or numbers, as appropriate)
-------------------	-------	----------	---

Signature of applicant ..... Date .... / .... / ....

Explosives

FORM 5

Regulation 8

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

APPLICATION FOR EXPLOSIVES LICENCE  
(SELLING)

TO: The Chief Inspector of Explosives

I hereby apply for a licence to sell explosives.

1. Name .....
2. Address .....
3. Postal address .....
4. Occupation .....
5. The kinds of explosives to be sold are:

Name of explosive	Class	Division

6. The situation of the premises where the explosives are to be sold is described as follows:

.....  
.....

7. The situation of the magazine where explosives to be sold are to be stored is described as follows:

.....  
.....

Signature of applicant ..... Date .././...

Explosives

FORM 5A

Regulation 8

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

APPLICATION FOR EXPLOSIVES LICENCE  
(PURCHASE AND POSSESSION)

TO: The Chief Inspector of Explosives

I hereby apply for a licence to possess (or purchase and possess) explosives.

1. Full name .....
2. Address .....  
.....
3. Postal address.....  
.....
4. Occupation .....
5. Telephone No. ....
6. Type and quantity of explosives now in my possession:

Name of explosive	Class	Division	Quantity
.....			
.....			
.....			
.....			
.....			
.....			

Explosives

7. I wish to purchase the following type/s\* and quantity of explosives.

Name of explosive	Class	Division	Quantity
.....			
.....			
.....			
.....			
.....			
.....			

8. The explosives will be stored at .....

.....

9. The explosives will be used at .....

.....

10. It will be necessary to keep the explosives for the period specified in the licence

.....

.....

.....

Signature of applicant ..... Date .../.../....

\* Delete if inapplicable.

\_\_\_\_\_



Explosives

FORM 6

Regulation 9

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

EXPLOSIVES LICENCE  
(IMPORTING AND EXPORTING)

LICENCE No. ....

1. This licence is issued to .....  
of .....
2. Subject to the Explosives Act, Regulations and to any conditions set out below, this licence authorizes the licensee to import/export\* explosives of the kinds indicated below in such quantities and contained in such numbers of packages as do not exceed the quantity and number of packages indicated below in respect of each kind of explosive.

---

Name of explosive	Class	Division	Quantity	Whether authorization is to import or export or both

---

- 
3. This licence is subject to the following conditions:  
.....  
.....
  4. This licence expires on the                      day of                      ,  
19      unless sooner determined.

Dated this                      day of                      , 19      .

.....  
Chief Inspector of Explosives

\* Delete if inapplicable.

Explosives

FORM 7

Regulation 9

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

EXPLOSIVES LICENCE  
(MANUFACTURING)

LICENCE No. ....

1. This licence is issued to .....  
of .....

2. Subject to the Explosives Act, Regulations and to any  
conditions set out below, this licence authorizes the licensee  
to manufacture

.....  
.....

in accordance with those regulations provided that -

(a) the manufacturing is done during the following hours:  
.....

(b) the name of person or persons carrying out the  
manufacturing is/are\*:  
.....  
.....

(c) the method of manufacturing is as follows:  
.....  
.....  
.....

(d) the amount of explosives to be manufactured in any one  
day will not exceed .....kg.

Explosives

3. This licence is subject to the following conditions:  
.....  
.....
4. Location of where the manufacturing will be done:  
.....  
.....
5. This licence expires on the                      day of                      , 19  
unless sooner determined.

Dated this                      day of                      , 19     .

.....  
Chief Inspector of Explosives

\* Delete if inapplicable

\_\_\_\_\_

Explosives

FORM 8

Regulation 9

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

EXPLOSIVES LICENCE  
(CARRYING)

LICENCE No. ....

1. This licence is issued to .....  
of .....
2. Subject to the Explosives Act, Regulations and to any conditions set out below, this licence authorizes the licensee to carry explosives of the kinds indicated below in respect of each kind of explosive provided that the explosives are carried on the undermentioned vehicle.

Make.....Type.....Registration No.....  
between the hours of ..... and ....., in such quantities as do not exceed in respect of any kind of explosives, the quantity indicated below in respect of that kind of explosive.

Name of explosive	Class	Division	Quantity
-------------------	-------	----------	----------

The amount of explosives to be carried is not to exceed .....kg.

This licence is subject to the following conditions:

.....  
.....

This licence expires on the ..... day of ....., 19  
unless sooner determined.

Dated this ..... day of ....., 19 ..

.....  
Chief Inspector of Explosives

Explosives

FORM 9

Regulation 9

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

EXPLOSIVES LICENCE  
(MAGAZINE)

LICENCE No. ....

1. This licence is issued to .....  
of .....  
Postal address .....  
.....  
in respect of the area of land as follows:  
.....  
.....
2. Subject to the Explosives Act and Regulations and to any conditions set out below, this licence authorizes the licensee to store in the area of land described above explosives of the kinds indicated below in such quantities as do not exceed the quantities indicated respectively below in respect of the several kinds of explosives.

---

Name of explosive	Class	Division	Maximum quantity of each explosive to be stored
-------------------	-------	----------	--

---

3. The Chief Inspector of Explosives is to be notified within 24 hours of any change of location of a portable magazine.
4. This licence is subject to the following conditions:  
.....  
.....

This licence expires on the ..... day of ....., 19  
unless sooner determined.

Dated this ..... day of ....., 19 ..

.....  
Chief Inspector of Explosives

Explosives

FORM 10

Regulation 9

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

EXPLOSIVES LICENCE  
(SELLING)

LICENCE No. ....

1. This licence is issued to .....  
of .....  
in respect of the premises described as follows:  
.....  
.....  
.....

2. Subject to the Explosives Act and Regulations and to any conditions set out below, this licence authorizes the licensee to sell, in and from the premises described above, explosives of the kinds indicated below.

Name of explosive	Class	Division
-------------------	-------	----------

3. This licence is subject to the following conditions:  
.....  
.....

This licence expires on the ..... day of ....., 19  
unless sooner determined.

Dated this ..... day of ....., 19 .....

.....  
Chief Inspector of Explosives



Explosives

FORM 10A

Regulation 9

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

EXPLOSIVES LICENCE  
(PURCHASE AND POSSESSION)

LICENCE No. ....

1. This licence is issued to .....  
of .....  
Postal address .....  
and is current for.....(...) months from the  
date of issue.
2. Subject to the Explosives Act and Regulations and to any  
conditions set out below, this licence authorizes the licensee  
to purchase and possess explosives of the kinds indicated  
below.

Name of explosive	Class	Division	Quantity
-------------------	-------	----------	----------

.....			
.....			
.....			
.....			

This licence is subject to the following conditions:

.....  
.....

This licence expires on the ..... day of ..... , 19  
unless sooner determined.

Dated this ..... day of ..... , 19 .

.....  
Chief Inspector of Explosives

Explosives

FORM 15

Regulation 16

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

NOTICE OF INTENTION TO IMPORT/EXPORT\* EXPLOSIVES

TO: The Chief Inspector of Explosives

I am the holder of Explosives Licence Importing/Exporting\*  
No. ....  
and hereby give notice of my intention to import/export\*  
explosives in accordance with the following particulars:

1. Name of owner or consignor .....
2. Address of owner or consignor .....  
.....
3. Occupation of owner or consignor .....
4. Name of consignee.....
5. Address of consignee .....  
.....
6. Destination of consignment (give address)  
.....
7. Place where the explosives will enter/leave\* the Territory  
.....
8. Probable date.....
9. Means of transport: vehicle/boat/plane/train\*.....
10. Name and address of the person or company transporting  
explosives into/out of\* the Territory  
.....  
.....
11. Explosives to be imported/exported\*:

---

Name of explosive	Class	Division	Quantity
-------------------	-------	----------	----------

---

Signature of licensee ..... Date ..../..../.....

IF INSUFFICIENT SPACE PLEASE COMPLETE BACK OF FORM

\* Delete if inapplicable

---

Explosives

FORM 16

Regulation 19

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

NOTICE OF ARRIVAL OF EXPLOSIVES

TO: The Chief Inspector of Explosives

I, .....  
of .....  
.....  
being the holder of Explosives Licence (Importing and Exporting)  
No. .... hereby give notice of arrival of explosives  
set out in the following table which were manufactured by  
.....

Name of explosive	Class	Division	Quantity (weight or number as appropriate)
-------------------	-------	----------	--

3. The explosives set out in the above table arrived in the  
Northern Territory on ..... and are now stored at

.....  
.....  
.....

Signature of importer ..... Date ../../...

Explosives

FORM 17

Regulation 20

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

PERMIT UNDER SECTION 16(9) OF THE EXPLOSIVES ACT

I, .....,  
a Minister of the Government of the Northern Territory of  
Australia, in pursuance of the powers conferred on me by  
section 16(9) of the Explosives Act permit -

.....  
of .....  
to .....  
into/in\* the Territory such quantities of such unauthorized  
explosives as are set out in Schedule 1 to this permit, subject to  
such conditions as are set out in Schedule 2 to this permit.

SCHEDULE 1

Name and quantity of unauthorized explosives:

.....  
.....

Name and address of manufacturer:

.....  
.....

SCHEDULE 2

CONDITIONS

.....  
.....

This permit is in force from the ..... day of ....., 19  
until the ..... day of ....., 19 , unless sooner  
determined.

Dated this ..... day of ....., 19 .

.....  
Minister

Explosives

FORM 17A

Regulation 20

NORTHERN TERRITORY OF AUSTRALIA

Explosives Act

APPLICATION FOR A PERMIT TO USE  
UNAUTHORIZED EXPLOSIVES

TO: The Chief Inspector of Explosives

1. Full name of applicant.....  
.....
2. Address .....  
.....
3. Postal address .....  
.....
4. If a permit is granted, I intend to import the unauthorized explosives in accordance with the particulars set out in the following table:

Name of explosive	Class	Division	Quantity
-------------------	-------	----------	----------

5. Name and address of manufacturer  
.....  
.....

6. The place where the unauthorized explosives imported will enter the Territory will be -  
.....  
.....

### Explosives

7. Name and address of the person or company who will be transporting the explosives into the Territory -  
.....  
.....  
by vehicle/boat/plane/train\*.
8. It is proposed to use the explosives for -  
.....  
.....
9. The location where the explosives will be stored is -  
.....  
.....and used at .....
10. The permit will be required from the ..... day  
of ....., 19     until the ..... day of ....., 19     .
11. Signature of applicant ..... Date .../.../...

\* Delete if inapplicable

\_\_\_\_\_

### "SCHEDULE 2

Regulation 134

#### FEES TO BE PAID TO THE CHIEF INSPECTOR FOR THE GRANTING OR RENEWAL OF LICENCES

Licence	Fee
\$	
Explosives Licence (Importing and Exporting)	10
Explosives Licence (Manufacturing)	
Ammonium nitrate fuel oil	5
Other	20
Explosives Licence (Carrying)	
less than 75 kg	2.00
75 kg or more but less than 250 kg	4.00
250 kg or more but less than 500 kg	10.00
500 kg or more	20.00

### Explosives

Licence	Fee
	\$
Explosives Licence (Magazine)	
less than 250 kg	5.00
250 kg or more but less than 1,000 kg	10.00
1,000 kg or more but less than 5,000 kg	15.00
5,000 kg or more but less than 10,000 kg	20.00
10,000 kg or more	25.00
Explosives Licence (Selling)	10.00
Authorization of Explosives	
Class 1 to 6	35.00
Class 7	5.00
Shotfirer's Certificate	10.00
Storage in Government Magazine per week".	0.20 per package

### 33. SCHEDULE

The Explosives Regulations are amended by omitting from the regulation in Column 1 of the Schedule the words and figures in Column 2 opposite the regulation and substituting the words and figures in column 3 opposite the regulation.

SCHEDULE			Regulation 33
Column 1	Column 2	Column 3	
Regulation	Omit	Insert	
4(1) (definition of "ammonium nitrate explosive")	150 degrees Fahrenheit	61 degrees Celcius	
31	2 pounds (wherever occurring)	1 kilogram	
	5 pounds (wherever occurring)	3 kilograms	
	25 pounds (wherever occurring)	12 kilograms	
	50 pounds (wherever occurring)	25 kilograms	

Explosives

Column 1	Column 2	Column 3
Regulation	Omit	Insert
	100 pounds (wherever occurring)	50 kilograms
	200 pounds (wherever occurring)	100 kilograms
	.05 inch	125 millimetres
	3 inches	75 millimetres
40(2)(a)	50 pounds	25 kilograms
40(2)(b)	100 pounds	50 kilograms
45(2)	1,000 pounds	500 kilograms
47(c)	30 feet	10 metres
53	6 inches	150 millimetres
58	50 yards	50 metres
67(b)(i)	0.01 of an inch	.25 of a millimetre
67(b)(ii)	50 pounds	25 kilograms
80(d)	40 feet	15 metres
83(1)(d)(ii)	6 inches	150 millimetres
91(b)	50 yards	50 metres
91(c)	10 pounds	5 kilograms
97(b)(i)	10 pounds	5 kilograms
109(b)	20 yards	20 metres
109(c)	20 yards	20 metres
111(a)	4 feet	1.25 metres
116(b)	20 feet	8 metres
129	5 miles	8 kilometres
130(3)(a)	6 inches	150 millimetres
	12 inches	300 millimetres
130(4)(a)	12 inches	300 millimetres