



# Guide for pyrotechnician's licence applicants

September 2013

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**Disclaimer**

This publication may contain work health and safety and workers compensation information. It may include some of your obligations under the various legislations that WorkCover NSW administers. To ensure you comply with your legal obligations you must refer to the appropriate legislation.

Information on the latest laws can be checked by visiting the NSW legislation website [legislation.nsw.gov.au](http://legislation.nsw.gov.au)

This publication does not represent a comprehensive statement of the law as it applies to particular problems or to individuals or as a substitute for legal advice. You should seek independent legal advice if you need assistance on the application of the law to your situation.

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## Introduction

The NSW Explosives Regulation provides for the licensing of a pyrotechnician's licence. This guide provides applicants with information to complete the *Application for pyrotechnician's licence* form (catalogue no. WC00885) (the application form).

Under the NSW Explosives Act, if the regulations require a licensed person to handle explosives and explosives precursors, it is an offence for an unlicensed person to handle such material.

## Relevant legislation, standards and code of practice

- NSW Explosives Act
- NSW Explosives Regulation
- Australian Explosives Code
- Australian Standard AS 2187.

## Licence conditions

The NSW Explosives Act provides that the licence holder cannot contravene any conditions to which the licence is subject. The WorkCover NSW publication *General explosive licence and security clearance conditions under the NSW Explosives Act and Regulation* (catalogue no. WC04685) outlines the conditions to which a pyrotechnician licence holder is subject.

The WorkCover publication *Operational conditions fireworks: pyrotechnics and single use licence holders* (catalogue no. WC05659) establishes more specific responsibilities applying to pyrotechnician's licence holders.

## Pyrotechnician's licence authorisations

A pyrotechnician licence holder is authorised to:

- purchase, possess, use, store and transport display fireworks
- purchase, possess, use, store and transport a distress signal (otherwise than for the purpose of a distress signal)
- purchase, possess, use, store and transport a model rocket propellant device containing an ignitable substance or ignitable substances exceeding 62.5 grams in mass.

Possession of fireworks, distress signals and model rocket propellant devices (exceeding 62.5 grams) is limited to the category authorised by the licence, and the quantities required for use, no more than five working days before a fireworks display notified to WorkCover. The *Operational conditions fireworks: pyrotechnics and single use licence holders* (catalogue no. WC05659) document states that an authority to store is required for the storage of fireworks as follows:

- 1.1G – any quantity
- 1.3G – greater than 50kg net explosive quantity (NEQ)
- 1.4G or 1.4S – greater than 100kg NEQ.

If fireworks are required to be received by the licence holder more than **five working days prior** to any fireworks display that has been notified to WorkCover, or in greater quantities than that stipulated in the *Operational conditions fireworks: pyrotechnics and single use licence holders* (catalogue no. WC05659), they require authorisation to be stored at a site nominated under the pyrotechnics licence (ie completion of section 9 of the application form).

Additional storage sites require a licence to store explosives or security sensitive dangerous substances.

If storage is required for 150kg/NEQ of fireworks or above, a licence to store explosives must be applied for.

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## Who may apply for a pyrotechnician's licence?

### Age restrictions

Only individuals 18 years of age or over may apply for a pyrotechnician licence.

### Security clearance

The applicant must have a current security clearance (SC) (previously called an Unsupervised Handling Licence (UHL)) or apply for a SC at the same time as the pyrotechnician's licence. However, the pyrotechnician's licence will not be processed until the SC has been approved. For more information on a SC, refer to the WorkCover publication *Guide for security clearance applicants* (catalogue no. WC04689) available on the WorkCover website.

### Types of fireworks

The applicant must indicate, on the application form, one or more of the following type(s) of fireworks for which authorisation is sought on the licence:

- Ground display
- Chinese string
- Theatrical/indoor
- Aerial shells up to 75mm
- Aerial shells up to 100mm
- Aerial shells up to 150mm
- Aerial shells up to 200mm
- Aerial shells up to 250mm
- Aerial shells up to 300mm
- Aerial salutes up to 75mm
- Model rocket with propellant device containing an ignitable substance greater than 62.5 grams.

### Experience

The applicant must have experience in the use of the fireworks for which authorisation is sought on the licence. To prove experience, the applicant either:

- provides details of current or expired equivalent interstate licence(s) or WorkCover issued licence(s), or
- the licence holder that supervised the applicant during fireworks displays completes the statutory declaration attached to the application form.

Experience required for each type of firework is outline in the table below:

| <b>Firework type</b>  | <b>Practical experience of the applicant</b>  |
|---|---|
| <b>Ground display fireworks</b><br>Licence authorises display fireworks, which primarily function on the ground.                          | Successful completion of relevant training course and/or instruction by a current licence holder and: <ul style="list-style-type: none"> <li>conducted five displays under the direct supervision of the licence holder, and discharged ground display fireworks at those displays.</li> <li>conducted five firework displays in various locations under a single use (fireworks) licence.</li> </ul>   |
| <b>Theatrical and indoor fireworks (close proximity)</b><br>Licence authorises the discharge of theatrical/indoor pyrotechnics/fireworks. | Successful completion of a relevant training course/instruction in the use of theatrical/indoor fireworks by a current licence holder and: <ul style="list-style-type: none"> <li>conducted five displays under the direct supervision of the licence holder and discharged theatrical or indoor pyrotechnics/fireworks in a theatrical or indoor setting</li> <li>conducted five firework displays in various locations under a single use (fireworks) licence.</li> </ul> |
| <b>Chinese string fireworks</b><br>Licence authorises the discharge of Chinese string fireworks.  | Successful completion of a relevant training course/instruction in the use of Chinese string fireworks by a current licence holder and: <ul style="list-style-type: none"> <li>conducted five displays under the direct supervision of the licence holder and discharged Chinese string fireworks</li> <li>conducted five firework displays in various locations under a single use (fireworks) licence.</li> </ul>   |
| <b>Aerial shells up to 75mm</b><br>Licence authorises small aerial shells other than aerial salutes.                                      | Successful completion of training course and/or instruction by a current licence holder and: <ul style="list-style-type: none"> <li>conducted five displays, under the direct supervision of the licence holder and fired aerial shells up to 75mm in diameter.</li> </ul>  |
| <b>Aerial shells from 75mm up to 150mm</b><br>Licence authorises the discharge of aerial shells up to 150mm other than aerial salutes.    | Hold a current licence to discharge 75mm aerial shells for a period of 12 months and: <ul style="list-style-type: none"> <li>conducted five displays at various locations, under the direct supervision of a licence holder and fired aerial shells of 150mm in diameter.</li> </ul>  |
| <b>Aerial Shells up to 300mm</b><br>Licence authorises the discharge of aerial shells up to 300mm other than aerial salutes.              | Hold a current licence authorising the discharge of 150mm aerial shells for a minimum period of 12 months and: <ul style="list-style-type: none"> <li>conducted 10 displays under the direct supervision of a licence holder and fired aerial shells of at least 300mm in diameter.</li> </ul>  |
| <b>Aerial salutes up to 75mm</b><br>Licence authorises the discharge of aerial salutes.   | Meet the criteria for 150mm aerial shells and: <ul style="list-style-type: none"> <li>conducted five displays, under the direct supervision of a licence holder and fired aerial salutes up to 75mm in diameter.</li> </ul>   |

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## Duration of a pyrotechnician's licence

The licence will last for five years unless cancelled earlier, or otherwise stated.

## How to apply for a pyrotechnician's licence

Complete the application form available on the WorkCover website and lodge it at any Australia Post Bank@ Post outlet.

When lodging the completed application form with Australia Post, the applicant must provide proof of their identity. The application form lists the documents required for the 100 point identity check.

### Fee

The fee for a pyrotechnician's licence is as per the fee schedule on the WorkCover website. If you are also applying for a SC, an additional fee is required to be paid at the time of lodging the applications with Australia Post.

## Applying for storage

If applying for a licence to store explosives, please see *Guide for store explosives and/or security sensitive dangerous substances licence applicants* (catalogue no. WC03474).

### Site storage facility (magazine)

A site storage facility is any area, building, room or container where explosives are stored or handled. The application form requires the storage facility identifier, type, the maximum storage capacity and the class/division of the largest quantity of fireworks to be stored within it.

#### Site storage facility identifiers

Storage facilities must be given individual names or numbers, called the storage facility identifier, that are up to four letters or numbers in length (eg MAG1). The storage facility identifier is to be used on the A4 size site sketch (see security plan for more details about the site sketch).

#### Type of storage facility

In the application form, the type of storage facility that will store fireworks must be nominated:

- Internal magazine
- External magazine
- Underground magazine
- Magazine.

### Fireworks to be stored

The application form requires that for all fireworks to be stored within each magazine, the following be provided: UN number, Class or division, Typical quantity to be stored and units (L or kg/NEQ (Net Explosive Quantity) or number), the Proper shipping name and the Product or common name.

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## Map

A photocopy from a local street directory or other map showing the locality of the storage site is required to be submitted with the application form. Please mark the location of the site on the map with an X.

## Security plan

Authorisation for storage requires the submission, with the application form, of a security plan. Information on how to complete a security plan is provided in the WorkCover publication *Security plan for the storage and handling to explosives (including explosive precursors) guide* (catalogue no. WC04687) available on the WorkCover website.

## Obligations of licence holders

### Change of details

It is a condition of a pyrotechnician's licence that the licensee must notify WorkCover within 14 days of any change in address or other details provided in their application. For change of name or address or contact details use the *Application for change of details – Individual* form (catalogue no. WC02273). For changes to authorisations on a licence (request for storage or authorisation of additional fireworks types), use the *Application for an amendment to a pyrotechnician's licence* form (catalogue no. WC03396). Both are located on the WorkCover website.

### Notifications

It is a condition of each pyrotechnician's licence that the licensee notifies the following authorities by the time specified, of an intention to use any fireworks, distress signal or model rocket propellant device:

- WorkCover – at least seven working days before the fireworks, signal or device is to be used.
- The relevant local council – at least seven working days before the fireworks, signal or device is to be used.
- NSW Police – at least two working days before the fireworks, signal or device is to be used.
- NSW Fire and Rescue or the NSW Rural Fire Service, whichever is appropriate – at least two working days before the fireworks, signal or device is to be used.

Other agencies – such as the Civil Aviation Authority (CASA) – may also require notification, depending on the location of the intended display. Possible authorities to be notified are included on the *Fireworks display checklist* (catalogue no. WC05629).

The notification of a fireworks display generally requires that the notification be submitted to WorkCover seven days before the date of the display. However, WorkCover may accept the application form two business days before the display date if the application is supported by the local council in whose area the display will be held, or by Roads and Maritime Services (RMS) if the display is to be held on waters that it regulates. Either of the following must be submitted with the application form:

- A letter from the council that advises the council has no objection to the display.
- A copy of the Exclusive Use Aquatic Maritime Licence issued by RMS.

**Note:** The fireworks display must not proceed without written authority from WorkCover.



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## Display duration

A notification of a fireworks display must advise the duration of the display. Options for display duration are:

- one day event
- up to three consecutive days event
- extended display.

Extended display is a display that is more than three consecutive days and limited to three months for an organised public display, or 12 months for a theatrical display, and:

- is made by the same pyrotechnician
- the display is at the same location
- is supported by the local council within whose area the display will be held, or RMS if the display is on waters regulated by them. To show that the council or RMS support the display, submit with the application:
  - written confirmation that the local council has no objections to the display
  - if the display is to be held on water controlled by RMS, a copy of the Exclusive Use Aquatic Maritime Licence (issued by RMS).

## How to notify

Complete the *Notification of pyrotechnics/fireworks display* form (catalogue no. WC03468) located on the WorkCover website and lodge directly with WorkCover by fax or post (do not do both). Lodgement instructions are on the application form.

## Additional information

For additional information about applying for a pyrotechnician's licence, contact WorkCover on **13 10 50** or visit the website at [workcover.nsw.gov.au](http://workcover.nsw.gov.au)

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