



GUIDE FOR FIREWORKS (SINGLE USE) LICENCE APPLICANTS

SAFEWORK NSW

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Information on the latest laws can be checked by visiting the NSW legislation website www.legislation.nsw.gov.au

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INTRODUCTION

The NSW Explosives Regulation provides for the licensing of a fireworks (single use) licence. This guide provides applicants with information to complete the *Fireworks (single use) licence - application* (catalogue no. SW08145).

Under the NSW Explosives Act, it is an offence to handle explosives and explosive precursors if the regulations require the person to be licensed and the person is not licensed.

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 *General explosive licence and security clearance conditions under the NSW Explosives Act and Regulation*, available on the SafeWork NSW website, outlines the conditions to which a fireworks (single use) licence holder is subject.

The *Operational conditions for pyrotechnician's and single use fireworks licences*, available on the SafeWork NSW website, establishes more specific responsibilities applying to fireworks (single use) licence holders.

FIREWORKS (SINGLE USE) LICENCE AUTHORISATIONS

A fireworks (single use) licence holder is authorised to (on one occasion only), purchase, possess, use, store and transport display fireworks.

Possession of fireworks, 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.

WHO MAY APPLY FOR A FIREWORKS (SINGLE USE) LICENCE?

All applicants must provide a certified copy of a photo evidence of identity (for example driver's licence) with the application.

AGE RESTRICTIONS

Only individuals 18 years of age or over may apply for a fireworks (single use) licence.

TYPES OF FIREWORKS

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

- Ground display.
- Chinese string.
- Theatrical/indoor.

Note: A fireworks single use licence holder is prohibited from using any aerial shell type fireworks.

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:

- provides details of previously issued fireworks (single use) licence(s)
- attaches a certified copy of the front and back of a current or expired interstate pyrotechnician's licence
- must provide evidence they have successfully completed training/instruction given by a licence holder in the use of the fireworks (the statement of training in the application form must be completed and signed by the licence holder that trained the applicant).

Note: for both evidence of identity and evidence of experience a 'certified copy' means a photocopy of the original document that has been certified as a true copy by a Justice of the Peace (JP). The JP must provide, beneath the certification, their signature, the date on which the certification was made, their JP registration number and the state in which they are registered.

DISPLAY DURATION

A notification of a fireworks display (an occasion) 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 applicant
- the display is at the same location
- is supported by the local council within whose area the display will be held, or Roads and Maritime Services (RMS) if the display is on waters that it regulates. 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).

NOTIFICATION

It is a condition of each fireworks (single use) licence that the applicant notifies the following authorities, by the time specified, of an intention to use any fireworks, distress signal or model rocket propellant device.

- SafeWork NSW – at least seven working days before the fireworks, signal or device is to be used. (See also Time Limits on this application).
- 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 Brigade 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 may also require notification, depending on the location of the intended display, such as CASA – Civil Aviation Safety Authority. Possible authorities to be notified are included on the *Fireworks display checklist* (catalogue no. SW08132).

DURATION OF A FIREWORKS (SINGLE USE) LICENCE

The licence will last for the duration of the fireworks display unless cancelled earlier.

HOW TO APPLY FOR A FIREWORKS (SINGLE USE) LICENCE

Complete the application form available on the SafeWork NSW website and lodge it directly with SafeWork NSW (the Regulator) by post or email (do not do both). Lodgement details are provided on the application form.

TIME LIMITS ON SUBMISSION OF THE APPLICATION

The application for a fireworks (single use) licence requires that the application be submitted no less than seven days before the date of the display to the Regulator. However, the Regulator 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 RMS if the display is to be held on waters that it regulates. To show this support, the applicant must submit either of the following 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.

LIMIT ON ISSUE OF FIREWORKS (SINGLE USE) LICENCES

A fireworks (single use) licence will not be granted to a person on more than four occasions in any 12 month period.

FEE

For the fee for a fireworks (single use) licence refer to the SafeWork NSW fees schedule available at www.safework.nsw.gov.au.

ADDITIONAL INFORMATION

For additional information about applying for a fireworks (single use) licence, contact SafeWork NSW on 13 10 50 or visit the website at www.safework.nsw.gov.au.

