Fireworks – **Shopgoods fireworks**

07.02.05

Wholesale storage and sale for Territory Day >

This information bulletin outlines the basic requirements for those people considering selling shopgoods fireworks on a wholesale basis for the 1 July celebrations in the Northern Territory.

Legislation

Under Northern Territory law, shopgoods fireworks are Dangerous Goods.

It is important to be aware of the provisions relating to fireworks in Regulations 90, 91, 92, 129, 131, 139 and 140 of the Northern Territory Dangerous Goods Regulations.

The *Workplace Health and Safety Act* Sections 55 to 58 outline Statutory Duties of Care. Regulations 38 to 45 of the Workplace Health and Safety Regulations also outline the requirements to identify hazards and control the risks in a workplace. Part 7 – Division 1 of the Workplace Health and Safety Regulations outlines the requirements for the provision of general safety at a workplace.

Breach of regulations may result in the seizure of stocks of fireworks (section 35 of the *Dangerous Goods Act*) and the cancellation or suspension of the licence (regulation 5L of the Dangerous Goods Regulations).

The relevant legislation may be accessed on the NT WorkSafe web site, www.worksafe.nt.gov.au or purchased from the Northern Territory Government Printer, Railway St, Parap.

Action needed prior to import and storage

Prior to importing and storing fireworks you will need to obtain a **Wholesale Licence to Possess, Store and Sell Shopgoods Fireworks (FM081) and a shopgoods fireworks wholesale storage checklist (CH0010).** If you propose to sell fireworks you should complete an Application Form and Checklist, and then return it to a Territory Business Centre accompanied by the fee of:

Wholesale fee $500.00

You are to include in your application details how you propose to collect surplus shopgoods fireworks from your retailers on the second of July each year.

The Checklist outlines the requirements to be met as a condition of holding a licence to store, sell and display for sale shopgoods fireworks in the Northern Territory in a wholesale manner.

A licence will be issued subject to an inspection to ensure that the premises comply with the safety provisions for wholesale storage and sale of fireworks as required by legislation.

It is your responsibility to ensure that you advise the Northern Territory Police, Fire and Emergency Services of your approved site for the wholesale storage of shopgoods fireworks. This could be very beneficial if a fire was to occur at your storage site.

Sale

Orders of fireworks for the 1 July celebrations may be taken from retailers prior to the allowed dates of sale. However, shopgoods fireworks may only be delivered by the wholesaler to retailers holding a fireworks retail permit twenty four hours prior to the sale dates unless permission is sought from NT WorkSafe to deliver earlier to remote areas.

Fireworks may only be sold to retailers that hold a current licence (retail) to possess, store and sell shopgoods fireworks (see NT WorkSafe information bulletin 07.02.01 for further information on retail sales). Sales to the public are not permitted from wholesale premises.

Display fireworks

Display fireworks are strictly prohibited for transport, storage and sale with shopgoods fireworks.

Fireworks of a purely explosive type are strictly prohibited and are not to be **stored, possessed, supplied or sold** with shopgoods fireworks. These explosive type fireworks (eg “Bangers” [firecrackers], 1"- 4" shells, sky-rockets) are categorised as Display type fireworks and a Displays Licence and a fireworks Display Permit are required to be issued by NT WorkSafe. Further information on display licence and fireworks display permits can be found in NT WorkSafe information bulletin 07.01.03.

Wholesale storage of fireworks over 200kg

The storage of quantities of fireworks over 200kg gross weight requires a Wholesale Storage Licence. When your application for a storage licence has been submitted, NT WorkSafe will conduct an inspection of the proposed site prior to approval.

The sale of fireworks to the public from wholesale storage is not permitted. (Any store holding over 200kgs gross weight is considered bulk storage). Sales of fireworks to businesses possessing a current retail shopgoods fireworks licence shall not exceed 200kg gross weight including packaging at any time, unless approval is given on the licence from the Competent Authority (NT WorkSafe).

Conveyance of the fireworks to retail outlets shall not exceed 200 kg per vehicle unless that vehicle is licensed and complies with the requirements of the NT Dangerous Goods Regulations.

Shopgood fireworks being sold from any premises or location not holding a current shopgoods fireworks retail licence will be seized for destruction and prosecution proceedings may commence.

All applications for wholesale storage (FM 081) must include the shopgoods fireworks wholesale storage checklist (CH0010) and a detailed plan of the premises showing:

- proposed storage location
- location and separation distances of surrounding premises and the type of use of these premises.

Responsibility

The person applying for the licence (the applicant) is also the responsible person and must ensure all conditions of the licence are complied with, even where the application is on behalf of a business. In addition the person applying for the licence must be in attendance during the sale period.

Responsible person:

- must be over the age of 18 years
- must have a clear understanding of the Northern Territory legislation in relation to the storage, transport and sale of Dangerous Goods
- must be capable of acting without supervision
- organise the sale and safe transport of shopgood fireworks to licensed retail outlets
- must sign the shopgoods fireworks wholesale checklist (CH0010)
- must ensure that the requirements of the licence and checklist are adhered to during the sale period for shopgoods fireworks
- must instruct all employees/co-workers in the requirements of the legislation and the sale and transport of shopgoods fireworks
- must be present when NT WorkSafe officers inspect the wholesale site

Workers' Compensation Requirements

Under the *Workplace Health and safety Act* (NT), employers **must** hold a workers' compensation insurance policy with an approved insurer, if they employ a person who provides work or service for them and **does not** provide the employer with an **Australian Business Number (ABN)** in writing.

This also applies to employers who are based outside of the Northern Territory and have persons providing work and service for the employer within the NT.

For further detailed information regarding this matter, please see NT WorkSafe's information bulletins 13.01.02 and 13.01.08.

Submitting the application

The completed Application Form (FM081), Checklist (CH0010) and fee ($500), should be submitted to a Territory Business Centre in your area.

Lodging application - Territory Business Centres (application forms must be lodged at TBCs)

Darwin
Ground Floor,
Development House
76 The Esplanade
Telephone: 1800 193 111

GPO Box 9800 Darwin NT 0801

Katherine
Shop 1,
Randazzo Building
18 Katherine Terrace
Telephone: (08) 8973 8180

Alice Springs
Peter Sitzler Building
67 North Stuart Highway
Telephone: (08) 8951 8524

Tennant Creek
Shop 2, Barkly House
Cnr Davidson and Patterson Streets
Telephone: (08) 8962 4411

NT WorkSafe >

GPO Box 1722
Darwin NT 0801

Telephone: 1800 019 115
Facsimile: (08) 8999 5141
Email: ntworksafe@nt.gov.au
Website: worksafe.nt.gov.au