



Importation and exportation of explosives

References

- A. *Explosives Act 1999*
- B. Explosives Regulation 2003
- C. United Nations classification system
- D. Information bulletin no. 10
- E. Australian Explosives Code
- F. Australian Dangerous Goods Code
- G. Australian Standard AS3846 – The handling and transport of dangerous goods in port areas

Purpose

1. To provide essential information on the legislative requirements, under the *Explosives Act 1999* and the Explosives Regulation 2003, for the importation and exportation of explosives in Queensland.

Scope

2. This Information bulletin applies to persons :
 - a. importing explosives into Queensland from a country outside Australia : and
 - b. exporting explosives from Queensland to a country outside Australia.

Issues

Definitions

3. The term “explosives” includes :
 - a. a substance or a thing containing a substance manufactured or used with a view to produce :
 - (1) a practical effect by explosion ; or
 - (2) a pyrotechnic effect ; and
 - b. a substance or thing declared under a regulation to be an explosive.
 - c. Examples include blasting explosives, detonators, propellant powders, pyrotechnics (including fireworks) and ammunition (including empty ammunition e.g. for collectors).
4. For the purposes of import and export of explosives in Queensland, the following explosives are exempt :
 - a. an explosive that is part of the operational equipment of a prescribed vehicle ;

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b. an explosive, being a distress signal on board a prescribed vehicle.

Note : a prescribed vehicle is a vehicle or boat entering the State from another country or leaving the State for another country.

c. Examples of exempted explosives include :

(1) an airbag in a vehicle, and

(2) a distress signal on board a boat as part of the boat's safety equipment.

Authority

5. A person (i.e. individual, partnership, company, etc) must not send an explosive from Queensland to another country, or bring an explosive into Queensland from another country, unless the person holds an authority under the *Explosives Act 1999* to do so.

6. The following authorities under the *Explosives Act 1999* are relevant :

a. to import an explosive :

(1) a Licence to Import Explosives

(2) a Permit to Import Explosives

b. to export an explosive :

(1) a Licence to Export Explosives

(2) a Permit to Export Explosives

Note : A "Licence" is for a repeat or ongoing activity, is issued for a period e.g.: 1 or 5 years, and is renewable. A "Permit" is for a one-off (normally small) activity, is issued for a specific import or export and is not renewable.

7. For the purposes of collectors' ammunition, i.e. small arms ammunition and/or other ammunition that does not contain explosives, a Licence to Collect Ammunition is a satisfactory authority for both importation and exportation of such explosives.

Requirements and obligations

8. Any authority holder who intends importing or exporting explosives must provide prior written notice of that intention to the Explosives Inspectorate. Such notification would normally include :

a. the name of the explosives (including UN number and classification) ;

b. the quantity of explosives ;

c. the point of entry/exit into/out of Queensland ;

d. the estimated date of arrival/departure, and

e. the name of the consignor and consignee for the explosives.

Note : An appropriate notification form example is enclosed

9. In the case of importation, the authority holder is required to advise the Explosives Inspectorate upon the actual arrival of the explosives in Queensland.

10. Should a relevant authority holder employ any person, agent, contractor, etc., to conduct, or to assist in, any activities associated with the import or export of explosives, the authority holder must take reasonable steps to ensure that employee, agent, contractor, etc, is :

a. competent to do so (i.e. aware of all relevant requirements under the *Explosives Act 1999* and relevant explosives risk control measures) ; and

b. complies with all requirements under the Act.

11. An authority holder may only import or export an explosive if :

a. the explosive is in a safe condition for transport ;

- b. the explosive has been classified, (the United Nations classification system applies in Queensland) ;
- c. the packaging containing the explosive is marked with the correct classification ;
- d. the explosive has been authorised in Queensland (refer Information bulletin no. 10) ;
- e. the explosive is packaged and labeled as required under the Australian Explosives Code and/or the Australian Dangerous Goods Code ;
- f. a Material Safety Data Sheet is available for the explosive, and
- g. the authority holder has taken reasonable steps to ensure the explosive will function as it was designed to function (i.e. : quality and safety of the explosive).

12. The authority holder must ensure that any import or export of explosives complies in all material respects with the notification details provided to the Explosives Inspectorate (refer paragraph 8 above).

13. An authority holder must, on the request of an Inspector of Explosives, make any imported explosive or intended export explosive available for inspection at a place reasonably required by the Inspector.

14. An authority holder must maintain records of any explosive imported or exported. Such records should include, as a minimum, the information outlined in paragraph 8 of this Information bulletin.

15. An authority holder must not import or export explosives at a port that does not have approved explosive limits which enable such import or export of explosives.

Additional information

16. Under the *Explosives Act 1999* and Explosives Regulation 2003, port authorities are required to :
- a. establish approved explosives limits for their ports (relevant berths) ;
 - b. ensure explosives are not handled at a port without approved explosives limits ; and
 - c. ensure explosives are handled at a port as required under the port's approved explosives limits and the Australian Standard AS3846 – The handling and transport of dangerous goods in port areas (or other safety measures approved by the Chief Inspector of Explosives).

17. An authority holder should consult with the relevant port authority prior to any import of export of explosives to ensure the intended activity is consistent with port requirements.

18. An authority holder should take all reasonable steps to ensure a competent person is available at point of entry/exit of the explosive who is able to address any unexpected issues of safety and/or security of those explosives. An authority holder should expect that an Inspector of Explosives will be inspecting imports of explosives in particular and may require unsafe or non-compliant issues to be addressed immediately.

Chief Inspector of Explosives

The information contained in this Explosives Information bulletin is provided for guidance only. It is not to be taken as a statement of law and must not be construed to waive or modify any legal obligations.

Enclosure :

1. Notification of import/export of explosives

Southern Region

3238 3728

Central Region

4938 4442

Northern Region

4799 7004

Internet : www.dme.qld.gov.au

