

Australian Capital Territory

# **Dangerous Substances (Fireworks Default Classification Criteria) Determination 2004 (No 1)**

## **Disallowable Instrument DI2004-89**

made under the

**Dangerous Substances (Explosives) Regulations 2004,  
Subregulation 14(3) (Default classification of explosives)**

## **Explanatory Statement**

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The *Dangerous Substances Act 2004* (the Act) establishes a modern duty-based framework for the regulation of dangerous goods and hazardous substances in the ACT. The objective of the Act is to protect the health and safety of people and to protect property and the environment from damage from the hazards associated with dangerous substances. Supporting the Act are sets of subordinate laws including the Dangerous Substances (Explosives) Regulations 2004 (the Regulations) that deal specifically with the manufacture, import, transport, storage, supply, use and disposal of explosives, including fireworks.

Division 1.2.2 of the Regulations concerns the classification of explosives. Regulation 10 explains the meaning of the concept “hazard division”. Regulation 11 explains the concept of “compatibility group”. Regulation 12 explains that the “classification code” for an explosive consists of its hazard division number followed by its compatibility group. Regulation 13 provides that the classification of an explosive must be worked out in accordance with the UN Test Manual.

Regulation 14 (Default classification of explosives) provides that where an explosive’s classification has not been worked out in accordance with Regulation 13, its classification is taken to be hazard division 1.1 which are explosives with a mass explosion hazard, and it must be handled in accordance with the requirements for hazard division 1.1 explosives. Subregulation 14(3) provides that the Minister can determine criteria for working out the default classification code of a firework.

The default classification system for fireworks set out in the schedule has been derived from reports and information papers of the United Nations Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals - Sub-Committee on the Transport of Dangerous Goods published to May 2004.

The determination of criteria for working out the default classification of a firework under Subregulation 14(3) is a disallowable instrument.