



Application for an explosives import/export licence

Applying for or
amending an explosives
import/export licence



Applying for a licence

Resources Safety wants to ensure that people importing or exporting explosives to and from Western Australia do so without creating risks to the community.

Stringent controls apply to explosives that may be imported into the State including security clearance provisions, and the means of transporting each consignment to and from an approved storage facility. This Explosives Import/Export Licence will enable the holder to:

- import and/or export explosives; and
- supply explosives to others who are authorised to possess the explosives.

The import/export licence **does not** allow the holder to transport, use, store or manufacture without additional explosives licences or permits.

General requirements

In order to obtain a licence, a legitimate purpose must be demonstrated by the applicant. Recognised purposes include:

- use for the manufacture of commercial explosives
- operating as a registered explosives import/export agent
- transporting or supplying for the above purposes.

An Explosives Import/Export Licence is issued for 3 years and authorises the possession and use only of those explosives as specified in the licence.

Licences will only be issued if certain eligibility requirements are met and the Chief Officer is satisfied that the applicant, if an individual, or a nominated person on behalf of a company:

- are 18 years of age or over;
- hold a current WA Dangerous Goods Security Card (DGSC);
- have a legitimate reason for handling the explosives;
- can demonstrate a satisfactory level of experience, knowledge and competency in the safe handling, storage and security of the explosives;
- have made adequate arrangements for the safe and secure handling and storage of the explosives;
- can ensure persons who will have unsupervised access to the explosives possess a DGSC and are authorised as secure employees; and
- can ensure that only persons authorised under the explosives regulations are supplied with explosives.

Obligations of the licensee

Licence holder must comply with the provisions of the *Dangerous Goods Safety Act 2004* and Regulations as they relate to safety and security of explosives. This includes compliance with any conditions that may be on the licence.

Companies or partnerships must nominate a person concerned in the management of, or employed by the business to be responsible for the safety and security aspects of the explosives being managed under the licence. This person's details will be recorded on the

licence, and should that person resign for example, then the company/partnership must nominate another person with a Dangerous Goods Security Card to take over such responsibility.

Until such changes are put in place the licence to import/export ceases to have effect.

What explosives may be imported or exported?

Only explosives that have been authorised by the Chief Officer may be imported into and exported from this State under an Explosives Import/Export Licence. The current list of authorised explosives is available on the Resources Safety website.

The authorisation process examines testing regimes, formulations, compliance and safety standards of individual explosive types, and those that gain approval can then be brought into the State on a regular basis without further testing. The same applies to the export of explosives. The following matrix details which situations that require a licence, test permit or import/export notice:

Where are explosives coming from or going to?	Authorised explosives	Unauthorised explosives
Overseas	Requires an Explosives Import/Export Licence. All requirements of the Dangerous Goods Safety (Goods in Ports) Regulations 2007, such as special berth approvals, are additional. An import notice or export notice is to be lodged with the Chief Officer for every consignment, including a Material Safety Data Sheet for each explosive listed.	A Test Permit must be obtained from the Chief Officer prior to the import. (no exceptions). Export out of Australia is not permitted.
Between WA and other States and Territories in Australia	An Explosives Import/Export Licence is not required for the movement of explosives in and out of WA, but other dangerous goods licences may apply. For example: <ul style="list-style-type: none"> • Interstate Explosives Transport Licence • WA Explosives Transport Licence • Explosives Driver Licence • WA Shotfiring Licence • WA Pyrotechnics (Special Use) Licence • WA Fireworks Contractor Licence A Fireworks (interstate) Import Notice must be lodged by the holder of an Explosives Transport Licence that transports fireworks into WA	A Test Permit must be obtained from the Chief Officer prior to the import or export. (no exceptions)

Import and export notices

An import notice or export notice must be lodged with Resources Safety at least seven days in advance of any consignment coming in from or going overseas. This action ensures that the Chief Officer is aware of all explosives movements. This process does not apply to the interstate movement of authorised explosives, other than for fireworks.

Where consignments of fireworks are brought into WA, transport can only be on vehicles that are covered under an Explosive Transport Licence. The holder of this licence must lodge a Fireworks (interstate) Import Notice with the Chief Officer no later than 24 hours prior to the intended arrival of each and every consignment.

Licence holders must maintain records for a minimum of 2 years from the date of all consignments imported/exported.

Test permits

Often very little is known of the qualities and characteristics of unauthorised explosives and for this reason a test permit is required for each and every consignment that is intended to be brought into the State either from overseas or another State/Territory of Australia. Some countries will not allow explosives to be exported to Western Australia unless the importer can provide evidence of a test permit to confirm that the consignment will indeed be allowed to be unloaded. The test permit in essence allows the explosives into the State and will be subject to strict conditions as to where it can be tested, stored and used.

A test permit is **not required** for consignments of authorised explosives imported from overseas under an Explosives Import/Export Licence.

Reference material

Further information can be obtained from:

- *Dangerous Goods Safety Act 2004*
- Dangerous Goods Safety (Explosives) Regulations 2007
- Dangerous Goods Safety (Goods in Ports) Regulations 2007

(downloads available free on the State Law Publisher's website at www.slp.wa.gov.au/statutes)

- Australian Standard AS 3846:1998 The handling and transport of dangerous cargoes in port areas

(copies of Australian Standards are available from SAI Global, 165 Adelaide Terrace, East Perth WA 6004. Phone: 13 12 42 or www.saiglobal.com/shop)

- IMO Code of Safe Practice for Solid Bulk Cargoes (BC Code) 2004

(available from the International Maritime Organization website at www.imo.org)

- Resources Safety:
 - Notice to Import Explosives/SRS (IMN REV 2)
 - Notice to Export Explosives/SRS (EXN REV 2)
 - Application for a Test Permit for unauthorised explosives ETP REV 2
 - Register of authorised explosives
 - Application for an Explosives Transport Licence ETL REV 2
 - Application for an Explosives Storage Licence ETS REV 2
 - Application form for Authorisation of an Explosive
- Schedule of Fees and Charges for dangerous goods (available free from www.dmp.wa.gov.au/ResourcesSafety)

Applicant details

Licences can only be granted to an individual, a body corporate or a partnership. An application from a body corporate must be in the name as described on the certificate of incorporation, and a copy of the certificate is to be provided with the application.

The following are also recognised as corporate bodies:

- Federal or State Government Departments
- Local Government authorities (Cities, Towns, Shires)
- Some semi-government organisations (e.g. Water Corporation, Western Power)

Where an unincorporated body owns/operates/leases premises or a site, or undertakes an activity (and does not wish, or is not eligible, to become incorporated (i.e. small businesses, associations, etc.) an eligible individual person must be nominated to be the applicant.

An application from a partnership must include:

- a certified copy of evidence of the partnership; and
- a statutory declaration from **each** partner stating:
 - the name of the partnership

- the name, home address and contact details of all partners; and
- business in which the partnership is engaged.

The licence will be granted in the name of the partnership.

Applications may be received in respect to premises that are operating under a trust. The licence cannot be granted to a trust, but can be granted to, as an example, *'The trustees of the ABC Trust'*. Applications from trusts must include:

- a certified copy of a document which states the name of trust; and
- the name, home address and contact details of **at least one of the trustees**.

Licences cannot be granted to business names or trading names.

Please ensure that a contact number is provided in case the Departmental assessor needs to clarify matter or seek additional information. A residential business is mandatory and may be supplemented with a post office address.

Security clearances

Access to explosives is now strictly controlled in Western Australia. The Dangerous Goods Safety (Explosives) Regulations 2007 are rigorous across all aspects of explosives storage, handling and transport and in particular incorporate many of the security provisions negotiated under the Council of Australian Governments (COAG) agreement of 25 June 2004 on counter-terrorism measures.

It is a requirement that licence holders and people with unsupervised access to explosives possess a security clearance. Key features of the assessment process are identity checks to confirm the status of applicants as well as national criminal history record checks including an ASIO clearance.

As a means of proof of a valid security clearance, individuals will be issued with a photographic security card valid for 5 years, and it will be subject to renewal. The security card will allow portability of the security clearance between employers.

Persons applying for an Explosives Import/Export Licence must first obtain a DGSC. If the applicant is a company or partnership then the DGSC must be obtained by the person nominated in the licence application. Details are available on the Resources Safety website and application forms can be obtained from and lodged at participating Post Offices around Western Australia. Your application for an Explosives Import/Export Licence is only valid while the security clearance of the individual named in the licence remains current.

Mutually recognised security clearances

Western Australian explosives regulations have mutually recognised various current explosives and Security Sensitive Ammonium Nitrate (SSAN) licences/permits issued by another State/Territory of Australia as being valid security clearances in this State. This does not apply for permanent residents of WA with more than 3 months residency. These are detailed in the following table:

State/Territory	Legislation
New South Wales	Explosives Regulations 2005
Queensland	Explosives Act 1999
South Australia	Explosives (Security Sensitive Substances) Regulations 2006
Tasmania	Security Sensitive Dangerous Substances Act 2005
Victoria	Dangerous Goods (Explosives) Regulations 2000 Dangerous Goods (HCDG) Regulations 2005
Northern Territory	None applicable
Australian Capital Territory	None applicable

Applicants from interstate, who do not possess a mutually recognised security clearance will be required to obtain a DGSC in order for the application for licence to proceed.

Location of storage

Once imported explosives have been cleared through the port or place of entry, the consignment can be transported on a vehicle covered under an Explosive Transport Licence to a site covered under an explosives licence for storage or manufacture. The only exception is where explosives are transported directly to another State.

The purpose of this section is to obtain details of the licensed storage facility where the majority of explosives

consignments will initially be stored and enable the Chief Officer to assess the suitability of such a place to accept the types and quantities of explosives that are intended to be imported/exported under the Explosives Import/Export Licence.

Specific storage location details must still be provided on import/export notices relevant to each consignment.

Product details

In order for an application to be considered, it is important that the particular details of the products to be imported/exported are accurately specified. Applicants should ensure that they refer to products by the authorised name, and include the Classification

Code and the United Nations (UN) Number. These details can be confirmed by reference to the list of authorised explosives on the Resources Safety website.

Each licence is granted for specific types of explosives and for particular quantities and any other conditions that may be considered necessary. Licence holders are not permitted to import/export authorised explosives that are not endorsed on their licence.

Place of origin

When manufacturers apply for their explosives products to be authorised, the extensive amount of technical information provided will include place of manufacture. As part of quality control, the Chief Officer needs to be confident that future consignments of a particular

authorised explosive emanate from the same country. It cannot be assumed that manufacturing standards are the same from one country to another.

Information on the place of origin also allows Resources Safety to liaise with overseas regulatory authorities to confirm current regulations and improve safeguards on the worldwide movement of explosives.

Consignment entry/exit points

Explosives imported and exported through Western Australia come through the various ports stretching from Wyndham to Esperance. Each of these ports differs in respect to loading/unloading facilities, load limits on explosives based on safety distances, security arrangements, transit storage facilities, and transport routes from the port.

The types and quantities of explosives being imported/exported may preclude the use of certain ports. Applicants can nominate more than one port on their application. Importers/Exporters should liaise with the relevant Port Authorities to ensure that the ports they wish to use are approved to handle the explosives and quantities involved.

Transitional provisions

There is a transition period of 12 months from the commencement date of the Dangerous Goods Safety (Explosives) Regulations 2007. During this period, the following takes effect:

- at commencement date the holder of a current Explosives Import Licence (issued under the repealed Explosives and Dangerous Goods
- (Explosives) Regulations 1963) is taken to hold an Explosives Import/Export Licence under the new regulations until such time as the licence expires.
- a licence can be renewed without the need for a security clearance however, if a security clearance is not obtained before the end of the 12 month transition period the licence will lapse.

Application form

Complete the application section, ensuring that you have not missed anything and that payment of fees has been arranged. **Lodgement of an incomplete application may increase the time it takes to issue you with a licence and deficient applications may be returned to the applicant.**

NOTE: Please refer to the schedule of fees on the Resources Safety website for the current fee applicable to this licence application.

Contact details

Tel: (08) 9358 8001
 Fax: (08) 9358 8000
 Email: rsdclientservices@dmp.wa.gov.au
 Website: www.dmp.wa.gov.au/ResourcesSafety for fees, forms, FAQs, guidance material and publications.



Government of **Western Australia**
 Department of **Mines and Petroleum**
 Resources Safety

Application for licence to import/export explosives

Dangerous Goods Safety Act 2004
Dangerous Goods Safety (Explosives) Regulations 2007

ABN: 69 410 335 356

Application no. *(office use only)*

EIM



1. What are you applying for? (please tick one)

- New licence
- Amendments

For amendments please indicate the licence number.

EIM

2. Applicant details

Please tick one of the following boxes and complete the relevant sections below:

- Body corporate
- Partnership
- Individual
- Trust

Body corporate (name as shown on certificate of incorporation)

ACN

- Individuals
- Partnerships (names of all partners)
- Trusts (name of at least one trustee)

Family name	Given names

(if insufficient space please attach a separate sheet)

An application from a partnership must include:

- a certified copy of evidence of the partnership; and
- a statutory declaration from each partner stating:
 - the name of the partnership
 - the name, home address and contact details of all partners; and
 - the business in which the partnership is engaged

An application from a trust must include a certified copy of a document which states the name of the trust

Name of the registered business or firm, partnership or trust

Contact details (all applicants)

Phone Facsimile

Mobile Email

ABN

Business street address (mandatory)

Unit no. Street no. Lot no. Street

Town/suburb State Postcode

Postal address (complete if different from above)

Unit no. Street no. Lot no. Street

PO box no. Town/suburb State Postcode

3. Authorised person (mandatory if applicant is a body corporate or partnership)

Applicant must nominate an individual who is responsible for the safety and security of the explosives to be covered by the licence.

Position held

Family name	Given names	Date of birth
<input type="text"/>	<input type="text"/>	<input type="text"/>

Street address

Unit no. Street no. Lot no. Street

Town/suburb State Postcode

Phone Facsimile

Email Mobile

4. Security clearance details

Completion of this section is mandatory for either an individual applicant or the authorised person named above.

WA Dangerous Goods Security Card number Expiry date / /

Or

Mutually recognised security clearance from another State (a certified copy must be provided)

Licence / Permit description

Licence/Permit number

Expiry date / / State where issued

5. Integrity information

The following questions must be answered by:

- the applicant if an individual; or
- the authorised person nominated at part 3 above

Family name	Given names

Have you been convicted of any relevant offence? Yes No

Do you have a charge of a relevant offence pending against you? Yes No

If you answered 'yes' to either of the above questions please attach a separate sheet with details of your full name, date of birth, description of offence and/or charge, places, dates, penalties etc.

6. Type of business

Briefly state the normal business of the applicant.

Please tick one of the following:

- importing explosives for own purposes
- importing explosives to supply others
- both of the above

7. Experience and competency

Briefly describe the applicant's knowledge, experience and competency towards the safety and security of any explosives possessed under the proposed licence. Where the applicant is a body corporate this information will be in respect of the person nominated in part 3 above.

8. Location of explosives storage (storage location to be used for the majority of consignments once cleared from the port or prior to export).

Property trading name (if applicable)

Address

Unit no. Street no. Lot no. Street
 Town/suburb Postcode
 Site phone Site fax
 Site email

Additional location information (if there is no valid street address)

Global Positioning System (GPS) coordinates

Geographic (GDA94): Latitude Longitude

And/Or

Projected (MGA94): Easting Northing Zone

Land title information

Certificate of title (CT) number

Minesite tenement number

Reserve name or number (e.g. Baldivis or Kalgoorlie)

Magazine numbers (if applicable)

9. Product details

Please list the types of explosives to be imported/exported. (if insufficient space, please attach a separate schedule)

Proper shipping name or product name	Classification code	UN No.	Quantity per consignment (imports)	Quantity per consignment (exports)

10. Places of origin

Please list the countries that explosives will be imported from.

11. Ports or places of entry into or exit from Western Australia

Bunbury
 Dampier
 Esperance
 Fremantle
 Wyndham
 Perth International Airport
 Other (please specify)

