



# Application for a fireworks contractor licence

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Applying for or amending  
a fireworks contractor  
licence



# Applying for a licence

Resources Safety is responsible for ensuring that fireworks events (previously referred to as fireworks displays) are conducted and operated by people who are fit and competent to do so without creating unacceptable risk to the community. Persons issued with a Fireworks Contractor Licence are:

- able to possess, purchase and use fireworks under certain circumstances; and
- the only ones that may apply for a Fireworks Event Permit.

There is now a Western Australia outdoor fireworks - Code of Practice and it is incumbent on all applicants for a Fireworks Contractor or a Fireworks Operator Licence to ensure they fully understand the implications of this Code on activities involving fireworks in this State.

## General requirements

A Fireworks Contractor Licence is issued for 3 years and authorises the holder to possess supply and use fireworks as part of a display covered under a Fireworks Event Permit.

Licences can only be issued to individuals, incorporated bodies or partnerships that can demonstrate a genuine need to hold one. Copies of the following documents must be provided with your application:

- for incorporated bodies - a copy of the certificate of incorporation
- for partnerships - proof of existence of the partnership and a statutory declaration (from each partner)

Where the application is from an individual, a licence will only be issued if certain eligibility requirements are met and the Chief Officer is satisfied the applicant:

- is 21 years of age or over;
- holds a current WA Dangerous Goods Security Card;
- holds a current Fireworks Operator Licence;
- can demonstrate a genuine need for a Fireworks Contractor Licence;
- can demonstrate a satisfactory level of training, experience, knowledge and competency to be able to conduct the duties of a fireworks contractor;
- has made adequate arrangements for the safe and secure handling and storage and transport of the fireworks;
- has made adequate arrangements to ensure persons who will have unsupervised access to the fireworks possess a WA Dangerous Goods Security Card or equivalent and are authorised as secure employees;
- has made adequate arrangements to ensure that the supply of fireworks is only to persons authorised to receive fireworks;

- can demonstrate an understanding of the Western Australian outdoor fireworks - Code of Practice;
- has developed and can apply an Explosives Management Plan, including a security plan; and
- holds a current public liability insurance policy to a minimum of \$5 million dollars.

Where the applicant is a body corporate or partnership the application must include, in addition to documentation detailed above, the following;

- evidence that at least one individual who is concerned in the management of, or employed by the body or partnership, holds a current Fireworks Operator Licence;
- evidence of training or competency to demonstrate that the individual is able to conduct the duties of a fireworks contractor;
- details of the individual who is responsible for the safety and security of the fireworks to be stored and used under the licence with;
  - evidence of the nominated individual's identity, age and position within the body or partnership;
  - details of any infringements against the individual relating to dangerous goods or explosives anywhere in Australia since the date their WA Dangerous Goods Security Card or equivalent was issued;
  - details of any convictions, findings of guilt and/or pending charges against the individual for offences in Australia since the date their WA Dangerous Goods Security Card or equivalent was issued.

## Licence categories

When the Chief Officer issues a Fireworks Operator Licence, the applicant's skill level, experience and knowledge of fireworks displays are considered carefully and the licence will be endorsed to the appropriate level at which the licensee may operate. The holder of a Fireworks Contractor Licence can only conduct fireworks events that do not exceed the endorsement status stipulated on the prerequisite Fireworks Operator Licence. Such endorsements include:

- ground outdoor fireworks only;
- restricted outdoor fireworks Level 1;
- restricted outdoor fireworks Level 2; or
- unrestricted outdoor fireworks.

A licensed Fireworks Contractor can apply to have an endorsement reviewed. Licensees must be able to demonstrate a satisfactory level of experience and knowledge to support their submission. This can be achieved by attaching a separate sheet to the application form detailing:

- the type of endorsement upgrade sought;
- details of additional experience gained since submitting the original application; and
- details of fireworks events managed and assisted with.

### Obligations of the licensee

Licensees must comply with the provisions of the *Dangerous Goods Safety Act 2004* and regulations as they relate to safety and security of fireworks under the holder's control. This includes compliance with any conditions that may be on the licence.

Where companies and partnerships nominate a person to be responsible for the safety and security aspects of the fireworks being managed under the licence, that person's details will be recorded on the licence. If that person resigns for example, the company/partnership must nominate another person with a WA Dangerous Goods Security Card to take over the responsibilities.

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

Maintaining appropriate records is also an essential requirement and covers such matters as:

- details of all testing of fireworks;
- all fireworks sold and supplied to others;
- how and when fireworks are either used or destroyed;
- written explosives management plan incorporating security plans;
- operation of all fireworks events and permits obtained;
- all fireworks operators employed/engaged to operate and initiate fireworks at events covered under a Fireworks Event Permit;
- details of any incidents involving fireworks; and
- employment records of all persons engaged at each fireworks event.

### Renewal of licences

A renewal notice will be sent out several months prior to the expiry date. Licences may be renewed if the following requirements are met:

- Where the holder is an individual, that person:
  - possesses a current Fireworks Operator licence supported by a current WA Dangerous Goods Security Card; and

- payment of the licence fee
- Where the holder is a body corporate or a partnership confirmation that:
  - the Fireworks Operator nominated in the licence still holds a current licence and a current WA Dangerous Goods Security Card;
  - details about the authorised person in the licence are correct and that such person possesses a current WA Dangerous Goods Security Card; and
  - payment of licence fee,

### Reference material

Further information can be found at:

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

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

- Western Australian outdoor fireworks
  - Code of Practice
- Application for a Fireworks Event Permit, EFD REV 2
- Application for a Fireworks Operator Licence, EPO REV 2
- Template for an Explosives Management Plan
- Application for a Test Permit, ETP REV 2

(available from the Resources Safety website at [www.dmp.wa.gov.au/ResourcesSafety](http://www.dmp.wa.gov.au/ResourcesSafety))

- Australian Standard 2187.1-1998, Explosives — storage, transport and use — storage
- Australian Standard 2187.4-1998, Explosives — storage, transport and use — pyrotechnics
  - outdoor displays

(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](http://www.saiglobal.com/shop))

# Security clearances

Access to explosives and security risk substances (SRS), such as most formulations of ammonium nitrate with more than 45% ammonium nitrate content, is now strictly controlled in Western Australia. The Dangerous Goods Safety (Explosives) Regulations 2007 are rigorous across all aspects of explosives use, storage, handling and transport and 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 now a requirement that explosives related licence holders and people with unsupervised access to explosives or SRS possess a security clearance (and where necessary be a secure employee of their employer). 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.

**Individuals who wish to apply for a new Fireworks Contractor Licence or are named in the application must first obtain a WA Dangerous Goods Security Card.** Details are available on the Resources Safety website and application forms can be obtained from and lodged at participating Post Offices around Western Australia.

**A Fireworks Contractor Licence is only valid while the security clearance of the individual or authorised person 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 and nominated persons from interstate, who do not possess a mutually recognised security clearance will be required to obtain a WA Dangerous Goods Security Card.

# Integrity information

The regulations require that all individuals who apply for any type of explosives licence, or are nominated by their employer as being responsible for the safety and security of the explosives that are covered under the licence, must disclose to the Chief Officer:

- details of any relevant offence of which the person has been convicted; and
- details of any charge of a relevant offence against the person that is pending.

The term 'relevant offence' means any of the following:

- an offence against the Dangerous Goods Safety Act 2004 and regulations;

- an offence against a law of another place that substantially corresponds to the Dangerous Goods Safety Act 2004 and regulations; or
- an offence against a law of this State or another place, an element of which is the handling, storage or transport of explosives.

Two questions on this matter are contained in the application form and answers in the affirmative to either question must be supported by a separate sheet briefly describing details of the offence and/or charge including places, dates and penalties.

## Public liability insurance

The fireworks contractor must hold an appropriate and adequate public liability insurance policy for a fireworks event. While the minimum cover required by the regulations is five (5) million dollars, large fireworks events may require higher levels of insurance cover.

The insurance policy must cover all fireworks personnel, including the fireworks operator and firework operator's assistants.

## Event fireworks and testing

Testing by the fireworks contractor must be done at a place where:

- the public is not present;
- the fireworks can be used safely;
- the effects of the fireworks can be observed safely; and
- any risks in relation to people, property and the environment from matters such as malfunctioning or initiation of the fireworks can be assessed and reduced.

The fireworks contractor must maintain detailed records of:

- all testing carried out;
- all fireworks sold and supplied to others; and
- how and when fireworks were used or destroyed.

## Explosives management plan

The regulations now require a risk management approach be taken by persons involved in the operation of fireworks events for public display. To enable the Chief Officer to consider an applicant's preparedness and ability to conduct fireworks events in a safe and secure manner an Explosives Management Plan (EMP) must be submitted with the application.

A template for an EMP is available from the Resources Safety website. If completed in sufficient detail it may be considered acceptable as an EMP. The EMP must address a number of matters which are detailed in the regulations, including:

- incidents involving fireworks - preparedness and response;
- training of people to comply with the regulations and the EMP;

- monitoring of compliance with the EMP;
- review of the EMP to ensure its effectiveness;
- assessment of risks in relation to safety of people, property and the environment;
- assessment of the risks of the sabotage, theft or unexplained loss of or access by unauthorised persons to any fireworks possessed under the licence;
- in respect of fireworks to which the licence will relate, the measures that will be taken before they are used at a fireworks event; and
- in respect of fireworks events to which the licence will relate the procedures that will be followed in matters concerning inclement weather, spectator safety, prevention of misfires, procedures for dealing with misfires, collection of uninitiated fireworks and associated debris.

## Transitional provisions

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

- at commencement date the holder of a current Shotfirer's Permit/Pyrotechnics Operators Permit restricted to outdoor fireworks (issued under the repealed Explosives and Dangerous Goods (Explosives) Regulations 1963) is taken to hold a Fireworks Contractor Licence under the new regulations until such time **as the licence expires**. The licence holder must be 21 years of age or older.

In addition:

- 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 Fireworks Contractor licence will cease to have effect; and
- a licence can be issued without the need for an EMP however, if an EMP is not submitted before the end of the 12 month transition period the Licence will cease to have effect.

After the transition period, a Fireworks Contractor Licence is only valid while the security clearance of the individuals named in the licence remains current.

# Application form

Complete the application form and use the checklist provided in part 8 to ensure that you have not missed anything. Ensure you have attached all supporting documents including fees. Lodgement of an incomplete application may increase the time it takes to issue your licence, or it may be returned for more information.

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

## Contact details

Tel: (08) 9358 8001

Fax: (08) 9358 8000

Email: [rsdclientservices@dmp.wa.gov.au](mailto:rsdclientservices@dmp.wa.gov.au)

Website: [www.dmp.wa.gov.au/ResourcesSafety](http://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 a fireworks contractor licence

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

ABN: 69 410 335 356

Application no. *(office use only)*



### 1. Application type *(please tick one)*

New application

Amendments to my licence (e.g. endorsement upgrade)

WA licence number

### 2. Applicant details

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

Body corporate     Partnership     Individual

Body corporate *(name as shown on certificate of incorporation)*

ACN

- Individual
- Partnerships *(names of all partners)*

Family name	Given names	Date of birth

*(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

Name of the registered business, firm or partnership

**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** (this part is not to be completed if applicant is an individual)

Applicant must nominate a person who is responsible for the safety and security of the fireworks to be covered by the licence.

Position held

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

Motor drivers licence number

Expiry date  /  /  State where issued

**Street address**

Unit no.  Street no.  Lot no.  Street

Town/suburb  State  Postcode

Phone  Facsimile

Email  Mobile

**4. 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
<input type="text"/>	<input type="text"/>

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.

### 5. Security clearance details

Completion of this section is mandatory for either an individual applicant or the person named in section 3.

WA Dangerous Goods Security Card number  Expiry date / /

**Or**

Mutually recognised security clearance from another State Territory of Australia.

Licence / Permit description

Licence / Permit number

Expiry date / /  State where issued

### 6. Fireworks operator details

For individual contractor applicant or fireworks operator nominated by a body corporate or partnership.

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

Fireworks operator licence number  Expiry date / /

### 7. Practical experience

Please attach a separate statement that describes in detail the work and experience of the applicant in all matters associated with the organisation and operation of fireworks events (displays)

Has a statement been prepared and attached to this application?  Yes  No

### 8. Applicant's declaration (must be signed by intended licensee)

**I certify that the above details are true and correct.**

Name  Position

Signature of applicant  Date / /



**9. Checklist (please tick the boxes to ensure your application is complete)**

- Application form completed and signed
- Copy of certificate of incorporation (for body corporate)
- If a partnership, the following:
  - a certified copy of evidence of the partnership
  - a statutory declaration from **each** partner stating (the name of the partnership; the name, home address and contact details of all partners; the business in which the partnership is engaged)
- Details of evidence to support an amendment to current licence endorsement (if applicable)
- A separate sheet briefly describing details of any offences resulting in convictions, and/or charges pending (if applicable)
- A copy of both sides of the current motor drivers licence held by the person nominated at part 3
- A well documented explosives management plan incorporating a security plan
- A statement of practical experience (as per part 7)
- Payment of the licence fee

**Incomplete applications cannot be processed and will be returned.**

**Licences cannot be issued over the counter. The processing time for compliant applications that do not need complex internal assessment is 20 business days.**

**10. Payment details**

Please forward your application and remittance by mail to:

Resources Safety — Department of Mines and Petroleum  
100 Plain Street, EAST PERTH WA 6004

Application no. *(office use only)*

Cheques and money orders should be made payable to: Department of Mines and Petroleum

**Fireworks Contractor Licence**

**Complete this section if paying by credit card**

Card number

Expiry date   /

Card type *(please tick)*  Master Card  Visa

Cardholder's name

Amount

Signature

Phone number of card holder

Date   /   /