



Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**

Application for an explosives import/export licence

Dangerous Goods Safety Act 2004

Dangerous Goods Safety (Explosives) Regulations 2007

ABN: 69 410 335 356

Use this form to apply for or amend an explosives import/export licence.

Applying for a licence

The Department 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
- 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.

General requirements

An Explosives Import/Export Licence is issued for 5 years and authorises the possession of explosives as specified in the licence.

The Department has accredited a number of consultants who are approved to prepare and submit your application. When you have a consultant endorse your application as complying with the regulations, the Department checking fee does not apply.

The Department officers can also assess applications for an explosives licence. However, its core business is regulation, and resources available for assessment of

applications are dependent on workloads generated from core activities. The assessment time for applications submitted to the Department without accredited consultant endorsement is approximately three months and checking fees apply. If your submission is deficient, the processing time may be increased.

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)
- 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 nominees
- 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.

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 from the Department 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 the Department 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 (download of the Act and regulations are available free on the Department of Justice website at www.legislation.wa.gov.au)

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

(copies of Australian Standards are available from SAI Global. Phone: 13 12 42 or www.saiglobal.com/shop)

- International Maritime Solid Bulk Cargoes Code (IMSBC Code)

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

- Notice to Import Explosives/SSAN
- Notice to Export Explosives/SSAN
- Application for a Test Permit for unauthorised explosives
- Application for an Explosives Transport Licence
- Application for an Explosives Storage Licence
- Application for Authorisation of an Explosive
- Schedule of fees and charges

(available from the Department website at www.dmirs.wa.gov.au)

Applicant details

Licences can only be granted to an individual, a body corporate or a partnership.

An application for an individual must include a copy of the applicant's current motor driver's licence for proof of identity.

An application from a body corporate must be in the name as described on the certificate of incorporation, and the original certified 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 must be nominated to be the applicant.

An application from a partnership must include:

- the original 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:

- the original 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**. If the nominated trustee is a body corporate or partnership, the documents required are the same as advised above for such entities.

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 matters or seek additional information. A residential business is mandatory and may be supplemented with a post office address.

Security clearances

It is a requirement that explosives related licence holders and people with unsupervised access to explosives or security sensitive ammonium nitrate possess a security clearance (and where necessary be a secure nominee of the licence holder). 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 an Explosives Import/Export Licence must first obtain a WA Dangerous Goods Security Card. Details are available on the Department website and application forms can be obtained from and lodged at participating post offices in Australia.

An Explosives Import/Export Licence held by an individual is only valid while the security clearance of the individual remains current.

Recognised security clearances

Western Australian explosives regulations recognise 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 2013
Queensland	<i>Explosives Act 1999</i>
South Australia	Explosives (Security Sensitive Substances) Regulations 2006
Tasmania	<i>Security Sensitive Dangerous Substances Act 2005</i>
Victoria	Dangerous Goods (Explosives) Regulations 2011 Dangerous Goods (HCDG) Regulations 2005
Northern Territory	None applicable
Australian Capital Territory	None applicable

Applicants from interstate, who do not possess a recognised security clearance will be required to obtain a WA Dangerous Goods Security Card in order for the application for licence to proceed.

Relevant offence

The regulations require that all individuals who apply for any type of explosives licence must disclose to the Chief Officer:

- details of any relevant offence of which the person has been convicted
- 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.

Location of storage

Once imported explosives have been cleared through the port or place of entry, the consignment can be transported on a vehicle included 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 described. Applicants should ensure that they refer to products by the authorised name, and include the Classification Code and the United Nations (UN) Number.

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

Consignment entry/exit points

Explosives imported and exported through Western Australia come through the various ports or airports stretching from Wyndham to Esperance. Each of these entry points 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 ports or airports.

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

Application lodgement

If you intend to apply for a licence, it is recommended that you contact an accredited dangerous goods consultant and work with them to have your submission developed. The processing time for compliant applications that do not need complex internal assessment is 20 business days.

Your consultant will normally complete the application form on your behalf, however the intended licensee must actually sign the application. The licensee is responsible for all matters associated with the day-to-day storage and handling of the dangerous goods, and will be held accountable for any breaches of the Regulations.

Information for dangerous goods consultants

The following information will assist accredited dangerous goods consultants when lodging applications for licences.

Lodgements by email

- Applies to applications for new licences.
- All emails are to be sent to cso@dmirs.wa.gov.au and not to individual DMIRS staff members. Any correspondence sent to this email address should only be submitted once and it will be actioned in a timely manner. This process ensures all applications can be tracked from time of lodgement.
- The original hardcopy application must still be forwarded by mail so that certified copies of supporting documents can be verified.
- The email should include a list detailing the names of all attachments.

Consultants are requested to utilise appropriate naming conventions for all attachments sent electronically so that DMIRS staff can easily identify the contents and make it easy for electronic document storage and retrieval.

Licence fees

Please refer to the schedule of fees and charges on the Department website for the current fee applicable to this application for licence.

Contact details

Tel: (08) 6251 2300
 Email: cso@dmirs.wa.gov.au
 Website: www.dmirs.wa.gov.au or fees, forms, FAQs, guidance material and publications.

Only the licence fee for the first year of the licence is to be lodged with the application. Licence fees for subsequent years will be billed annually.

Checking fees

These are only payable if the application has not been lodged through an accredited dangerous goods consultant. Checking fees are equal to the licence fee payable with the application.

Lodgement

The completed application form, together with relevant documents and the relevant fee payable to the Department of Mines, Industry Regulation and Safety is to be mailed to:

Department of Mines, Industry Regulation and Safety
 Dangerous Goods Licensing
 Locked Bag 100
 East Perth WA 6892

or handed in person at:

Level 1, 303 Sevenoaks Street
 Cannington WA 6107

Business hours: 8.30 am to 4.30 pm

Notes:

- *Licences cannot be issued over the counter.*
- *Please refer to the schedule of fees and charges on the Department website for the current fee applicable to this application for licence.*



Government of **Western Australia**
Department of **Mines, Industry Regulation and Safety**

Application no. (office use only)

Application for an explosives import/export licence

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

ABN: 69 410 335 356

1. Application type (you must tick one of the boxes)

New licence Amendments to an existing licence Transfer of a licence (can only be done by licence holder)

Indicate licence number

Briefly describe amendment or transfer requirements

2. Applicant details

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

Body corporate Partnership Trust Individual

Proof of entity documents are required to be lodged with the application. Refer to information section of application form.

Full legal name (as shown on the proof of entity document)

ABN **AND/OR** ACN

Registered business (trading name) (if different to the legal name)

Contact details

Business street address (mandatory)

Unit no. Street no. Lot no. Street Type

Town / suburb State Postcode

Phone Email

Postal address (complete if different from above)

Unit no. Street no. Lot no. Street Type

Town / suburb State Postcode

Phone Email

3. Relevant offence

The following questions must be answered if the applicant is an individual.

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.

4. Security clearance details

Completion of this section is mandatory where the applicant is an individual.

WA Dangerous Goods Security Card number Expiry date / /

OR

Recognised security clearance from another State / Territory of Australia

Licence / permit description

Licence / permit number

Expiry date / / State issued

A certified copy of the licence / permit must be attached to the application.

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

Explosives storage licence number

Property trading name (if applicable)

Address

Unit no. Street no. Lot no. Street Type

Town / suburb State Postcode

Site phone Site fax

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

Bunbury Dampier Esperance Fremantle Wyndham Perth International Airport

Other (please specify)

7. Applicant's declaration (where the intended licence holder is not an individual, this declaration must be signed by a person within the business / firm who has authority to sign)

I declare the information provided in this application and the documents provided in support of it, are true and correct. I understand that providing false or misleading information in an application is an offence.

Name Position

Signature of applicant Date / /

8. Checklist (please tick the boxes to ensure your submission is complete)

- Completed and signed application form
- The original certified copy of certificate of incorporation (if applicable)
- If a partnership, the following:
 - the original 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)
- If a trust, the following:
 - the original certified copy of a document which states the name of the trust
 - Full name, home address and contact details of at least one of the trustees
 - If the nominated trustee is a body corporate or partnership, the documents required are the same as advised for such entities
- If an individual, a colour copy of the applicant's current motor driver's licence
- If applicable, a separate sheet briefly describing details of any relevant offence resulting in convictions, and/or changes pending (as per part 3)
- The original certified colour copy of an interstate recognised security clearance (if applicable as per part 4)
- 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.

9. Payment

Payment must be made by Visa or Mastercard credit cards. You will be contacted by telephone for payment on the telephone number provided in your application.

If a person other than yourself is to pay for this application, please provide relevant contact details below. **Incomplete information may delay the processing of your application.**

Payment contact details

Payer name *(must be completed even if a company is paying)*

Payer company *(if a third party company is paying)*

Payer daytime phone number

Payer mobile number

Payer email address

10. Enquiry contact details

Business address

Department of Mines, Industry Regulation and Safety
 Dangerous Goods Licensing
 Level 1, 303 Sevenoaks Street (entrance on Grose Avenue)
 Cannington WA 6107

Business hours: 8.30 am to 4.30 pm

Phone: (08) 6251 2300

Email: cs0@dmirs.wa.gov.au

Postal address

Department of Mines, Industry Regulation and Safety
 Dangerous Goods Licensing
 Locked Bag 100
 East Perth WA 6892