



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

Application for an explosives supply licence

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

ABN: 69 410 335 356

Applying for a licence

The Department wants to ensure that people storing and supplying explosives (includes sale) in Western Australia do so without creating risks to the community. Stringent criteria apply to where and how explosives are stored and sold, and all magazines and other facilities used for the storage of explosives must comply with relevant standards.

The Explosives Supply Licence is valid for five years, and authorises the holder to possess and supply authorised explosives to individuals or companies that have legal authority to possess explosives.

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.

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 Department without accredited consultant endorsement is approximately three months and checking fees apply. If your submission is deficient, the processing time may be increased.

Who can legally sell explosives?

Unless exempt, any individual, body corporate or partnership selling of authorised explosives within Australia require an Explosives Supply Licence.

Supply of explosives without having an Explosives Supply Licence

Companies / individuals who supply explosives under any of the following explosives licences do not require to hold and Explosives Supply Licence:

- Explosives Import / Export Licence
- Explosives Manufacture (MPU) Licence where the explosives are manufactured from constituents in a mobile processing unit
- Explosive Manufacture Licence

- Explosives Transport Licence where transport is to the consignee of the explosives
- Explosives Driver Licence when the driver is transporting explosives to the consignee of the explosives in a vehicle covered under an Explosives Transport Licence

A licence will only be issued if certain eligibility requirements are met. Individual applicants must satisfy Department they:

- are 18 years of age or over;
- possess a current WA Dangerous Goods Security Card;
- have the necessary qualifications, experience and knowledge as it relates to explosives;
- have made adequate arrangements for the safe and secure handling and storage of the explosives; and
- have made arrangements to ensure that only trusted and competent nominees have access to the explosives.

What explosives can be sold?

In order for an application to be considered, it is important that the particular details of the products to be sold (particularly high explosives and detonators) are accurately specified. Applicants should ensure that they refer to products by their authorised names, and include the Classification code and United Nations (UN) number.

Licences may include any conditions considered necessary by the Chief Officer and holders are not permitted to sell unauthorised explosives.

An Explosives Supply Licence **is not** required for the sale of:

- sparklers, party poppers, Christmas crackers
- cartridges for safety devices
- cartridges for nail guns
- emergency devices
- ammunition (a person must be authorised under the *Firearms Act 1973* to sell such items)

The sale of authorised explosives to overseas consignees will require possession of an Explosives Import / Export Licence.

Storage of explosives under an Explosives Supply Licence

Where explosives are to be stored an Explosives Storage Licence is required which will specify the types and quantities of explosives permitted to be stored. Refer to the Department website for the relevant application form and guidance material.

Special provisions for the sale of explosives

The granting of an Explosives Supply Licence imposes a number of responsibilities on the licence holder, including:

- maintaining records of all sales for a minimum of two years and the ability to identify theft or loss
- supplying only to authorised persons over 18 years of age
- not supplying explosives in damaged packaging
- not displaying live explosives for sale on any premises.

Reference material

Further information can be found at:

- *Dangerous Goods Safety Act 2004*
- Dangerous Goods Safety (Explosives) Regulations 2007
- Dangerous Goods Safety (Security Sensitive Ammonium Nitrate) Regulations 2007

(download of the Act and regulations are available free on the State Law Publisher's website at www.slp.wa.gov.au)

- Schedule of fees and charges
- Application for an Explosives Storage Licence
- Application for a Dangerous Goods Security Card (forms are available at participating post offices)
- Guidance material on obtaining a security clearance and Dangerous Goods Security Card
- Guidance Note – Storage of explosives

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

- Australian Standard 2187.1 *Explosives – storage, transport and use – Part 1: Storage*

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

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 Supply 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 Supply 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; 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.

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 for 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.*

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

Will explosives actually be stored on these premises? Yes No

Where will the explosives be stored? (please tick one box)

at principal business address at another place

For the location where explosives are to be stored (please tick one box)

Explosives Storage Licence not required

Explosives Storage Licence held

Application for Explosives Storage Licence lodged with the Department but licence not issued

Application for Explosives Storage Licence has not been lodged with the Department

6. Product details

Explosives (including detonators)

Types of explosives that will be supplied	Classification code	UN number

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 charges pending (as per part 2)
- The original certified colour copy of an interstate recognised security clearance (if applicable as per part 3)
- 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: cso@dmirs.wa.gov.au

Postal address

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