

Explosives Amendment Regulation 2025

Explanatory notes for SL 2025 No. 43

made under the

Explosives Act 1999

General Outline

Short title

Explosives Amendment Regulation 2025

Authorising law

Sections 51A and 135 of the *Explosives Act 1999* (Explosives Act)

Policy objectives and the reasons for them

The *Explosives Amendment Regulation 2025* (Amendment Regulation) amends the *Explosives Regulation 2017* (Explosives Regulation) to provide a temporary exemption to allow for the transport of specified prohibited explosives from New South Wales through Queensland to the Northern Territory before 1 July 2025.

Achievement of policy objectives

To achieve the policy objectives, the Amendment Regulation temporarily authorises the transportation of specified prohibited explosives from New South Wales through Queensland to the Northern Territory.

Specifically, a prohibited explosive will be exempt from the Explosives Act if it is a firework authorised under part 2A of the *Explosives Act 2003* (NSW) for transportation from New South Wales through Queensland to the Northern Territory.

The exemption is conditional on compliance with the *Australian Dangerous Goods Code* and the *Australian Code for the Transport of Explosives by Road and Rail*, ensuring the fireworks are properly packaged and sealed during transit, the use of the shortest practical route through Queensland, as well as ensuring that no other cargo is supplied to or removed from the vehicles transporting the fireworks while they travel through Queensland.

The temporary exemption will remain valid until the fireworks either leave Queensland for the Northern Territory or until 30 June 2025, whichever occurs first.

Consistency with policy objectives of authorising law

The Explosives Act and the Explosives Regulation regulate the safe handling of explosives in Queensland. This includes possessing, manufacturing, selling, storing, transporting and using explosives.

This amendment regulates the transportation of explosives, which is consistent with the objectives of the Explosives Act.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

There are no feasible alternative ways to achieve the objectives other than through amendments to the Explosives Regulation.

Benefits and costs of implementation

The Amendment Regulation does not increase costs or regulatory burden on Queensland businesses and the community.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles as stated in the *Legislative Standards Act 1992* and has no adverse impact on the rights and liberties of individuals or on the institution of Parliament.

Consultation

Resources Safety and Health Queensland has worked closely with its counterpart regulators in New South Wales and the Northern Territory to determine a resolution for the fireworks. SafeWork New South Wales has indicated it will authorise the fireworks for transport to the Northern Territory via Queensland, provided Queensland law permits its transit.

In accordance with *The Queensland Government Better Regulation Policy*, an Impact Analysis Statement has been prepared which indicates the regulatory proposal does not increase costs or regulatory burden on Queensland businesses and the community.