

**Reprint  
as at 1 December 2017**

**Hazardous Substances (Classes 1 to 5 Controls)  
Amendment Regulations 2003  
(SR 2003/177)**

Hazardous Substances (Classes 1 to 5 Controls) Amendment Regulations 2003: revoked, on 1 December 2017, pursuant to regulation 4(1) of the Hazardous Substances (Health and Safety Reform Revocations) Regulations 2017 (LI 2017/233).

Pursuant to sections 75 and 76 of the Hazardous Substances and New Organisms Act 1996, Her Excellency the Governor-General, acting on the advice and with the consent of the Executive Council (given on the recommendation of the Minister for the Environment made in compliance with section 141(1) of that Act), makes the following regulations.

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**Note**

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this reprint. See the notes at the end of this reprint for further details.

**These regulations are administered by the Ministry for the Environment.**

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## **1 Title**

- (1) These regulations are the Hazardous Substances (Classes 1 to 5 Controls) Amendment Regulations 2003.
- (2) In these regulations, the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001<sup>1</sup> are called the “principal regulations”.

## **2 Commencement**

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

## **3 Interpretation**

- (1) Regulation 3 of the principal regulations is amended by inserting, after the definition of **SADT**, the following definition:

**safety ammunition** means ammunition consisting of a cartridge case fitted with a centre or rim fire primer and containing both a propelling charge and a solid projectile, designed to be fired in weapons of a calibre not larger than 19.1 mm; and includes shotgun cartridges of any calibre

- (2) Regulation 3 of the principal regulations is amended by adding, after the definition of **vehicle**, the following definition:

**vulnerable facility** means any of the following facilities

- (a) buildings of 4 storeys or more, of curtain wall construction with panels greater than 1 500 mm square:
- (b) buildings of 4 storeys or more with more than 50% of the wall area glazed:
- (c) any hospital (as defined in the Hospitals Act 1957), early childhood centre (as defined in section 308 of the Education Act 1989), or school (as defined in section 145 of the Education Act 1989):
- (d) public buildings or structures of historic value:
- (e) major traffic terminals such as railway stations and air ports handling more than 1 800 people in 24 hours:
- (f) major public utilities whose service could be disrupted by a blast of 5 kPa:
- (g) any similar facilities.

## **4 New regulation 9A inserted**

The principal regulations are amended by inserting, after regulation 9, the following regulation:

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<sup>1</sup> SR 2001/116

**9A Exclusion for substances when used in combat or training**

Nothing in these regulations applies to class 1 to 5 substances when used in combat or in training for combat or when on a vehicle, ship, or aircraft authorised to carry those substances in combat or in training for combat.

**5 New regulations 12, 13, and 13A substituted**

The principal regulations are amended by revoking regulations 12 and 13, and substituting the following regulations:

**12 Exclusion for substances for use in training explosive detector dogs**

Nothing in regulations 22 to 31 applies to class 1 substances when used by the New Zealand Customs Service, the New Zealand Police, or the Aviation Security Service for training explosives detector dogs, provided the training is carried out in compliance with a code of practice approved by the Authority.

**13 Class 1 substances generally to be under control of approved handlers**

- (1) Except as provided in subclauses (2) to (6), all class 1 substances in any quantity must be under the personal control of an approved handler.
- (2) The following class 1 substances are not required to be under the personal control of an approved handler:
  - (a) safety ammunition, including pre-primed cartridges and primers, of class 1.4S:
  - (b) airbag initiators and seatbelt pretensioners of class 1.4G or 1.4S:
  - (c) cable cutters of class 1.4S (UN 0070):
  - (d) power device cartridges of class 1.4S (UN 0323):
  - (e) signal tubes or shock tubes of class 1.4S (UN 0349):
  - (f) cassette degradation devices of class 1.4S (UN 0432).
- (3) The following class 1 substances are not required to be under the personal control of an approved handler before the point of their sale to the public:
  - (a) fireworks in hazard classifications 1.3G, 1.4G, and 1.4S that are controlled under the Hazardous Substances (Fireworks) Regulations 2001 in amounts less than 500 kg (gross weight):
  - (b) emergency flares and signalling devices in hazard classifications 1.3G, 1.4G, and 1.4S in amounts less than 100 kg (gross weight):
  - (c) model rocket motors of hazard classifications 1.4G and 1.4S in amounts less than 100 kg (gross weight):
  - (d) propellants of hazard classifications 1.3C (UN 0161 and 0499) and 1.1C (UN 0160) in amounts less than 50 kg:
  - (e) gunpowder of hazard classification 1.1D (UN 0027) in amounts less than 50 kg:

- (f) igniting fuzes of hazard classification 1.4G (UN 0317), in amounts less than 100 kg (gross weight):
  - (g) igniters of hazard classification 1.4S (UN 0454) in amounts less than 50 kg (gross weight).
- (4) The following class 1 substances are not required to be under the personal control of an approved handler beyond the point of their sale to the public:
- (a) fireworks in hazard classifications 1.3G, 1.4G, and 1.4S that are controlled under the Hazardous Substances (Fireworks) Regulations 2001:
  - (b) emergency flares and signalling devices in hazard classifications 1.3G, 1.4G, and 1.4S:
  - (c) model rocket motors of hazard classifications 1.4G and 1.4S
  - (d) propellants of hazard classifications 1.3C (UN 0161 and 0499) and 1.1C (UN 0160), in amounts less than 15 kg:
  - (e) gunpowder of hazard classification 1.1D (UN 0027), in amounts less than 15 kg:
  - (f) igniting fuzes of hazard classification 1.4G (UN 0317):
  - (g) igniters of hazard classification 1.4S (UN 0454).
- (5) Despite subclause (1), a class 1 substance may be handled by a person who is not an approved handler if—
- (a) an approved handler is present at the location where the substance is being handled; and
  - (b) the approved handler has provided guidance to the person in respect of the handling; and
  - (c) the approved handler is available at all times to provide assistance, if necessary, to the person while the substance is being handled by the person.
- (6) Despite subclause (1), a class 1 substance is not required to be under the personal control of an approved handler where it is secured at a hazardous substance location or designated use zone in a container that meets the requirements of either regulations 23 and 24, or regulation 25.

### **13A General limits on display for sale**

Except for fireworks in hazard classifications 1.3G, 1.4G, and 1.4S that are controlled under the Hazardous Substances (Fireworks) Regulations 2001 and safety ammunition including pre-primed cartridges and primers of class 1.4S, no class 1 substance may be exhibited for sale or exposed for sale on any premises.

**6 General limits on location of class 1 substances**

Regulation 14(2) of the principal regulations is amended by revoking paragraph (b), and substituting the following paragraph:

- (b) at a designated transfer zone for more than—
- (i) 24 hours, in the case of substances of hazard classifications 1.4C, 1.4E, 1.4G, and 1.4S and of fireworks in hazard classifications 1.3G, 1.4G, and 1.4S that are controlled under the Hazardous Substances (Fireworks) Regulations 2001:
  - (ii) 8 hours, in the case of all other class 1 substances.

**7 New regulations 15 to 19 substituted**

The principal regulations are amended by revoking regulations 15 to 19, and substituting the following regulations:

**15 Limits on impact or pressure shock**

Except where initiation of the substance is intended, a class 1 substance must not be subject to any impact or pressure shock that could result in an explosion or fire.

**16 Limits on spark energy**

Except where the initiation of the substance is intended, no class 1 substance may be exposed to any ignition source that may release spark energy in a way that could result in an explosion or fire.

**17 Limits on heat and fire**

Except where the initiation of the substance is intended, no class 1 substance may be exposed to any ignition source capable of generating heat or fire where that could result in an explosion or fire.

**18 Limits on static electricity in relation to equipment**

No class 1 substance may be exposed to the build-up of static electrical charges where that could result in an unintended explosion or fire.

**19 Protection from stray electrical currents**

Where any class 1 substance is to be fired using an electrical system other than those firing systems initiated only by electrical currents modulated to specific waveforms or pulse sequences, the area within 2 metres of the uninsulated portion of the electrical firing system must not be subject to stray electrical currents of more than 60 mA.

**8 New regulations 22 to 25 substituted**

The principal regulations are amended by revoking regulations 22 to 26, and substituting the following regulations:

## **22 Securing class 1 substances**

- (1) Except as provided in subclauses (2) to (4), class 1 substances specified in table 7 in Schedule 2 must be secured at a hazardous substance location or designated use zone in a container that meets the requirements of either regulations 23 and 24, or regulation 25.
- (2) Despite subclause (1), when a class 1 category G substance at a discharge area is required to be secured, that substance may merely be secured so that a person cannot gain access to the substance without tools, keys, or any other device for operating locks.
- (3) Despite subclause (1), when substances described in regulation 13(2) are left unattended, those substances may merely be secured so that a person cannot gain access to the substance without tools, keys, or any other device used for operating locks.
- (4) Despite subclause (1), a class 1 substance is not required to be secured if it is under the personal control of an approved handler.

## **23 Requirements for containers securing class 1 substances**

- (1) Where table 7 in Schedule 2 requires a substance to be secured in a container that is a magazine, that container, if its construction is started after the commencement of the Hazardous Substances (Classes 1 to 5 Controls) Amendment Regulations 2003,—
  - (a) must have the following:
    - (i) an outer case with a compressive strength of at least 500 kN/m<sup>2</sup> and a shear strength of at least 750 Mm<sup>2</sup>; and
    - (ii) locking arrangements, for any entry into the container or for those parts of the container through which access is gained to the contents, that have a tensile strength of at least 1250 kN/m<sup>2</sup>; and
  - (b) must also be built to a design that complies with regulation 24.
- (2) Where table 7 in Schedule 2 requires a substance to be secured in a readily moveable container, that container (not being packaging) must—
  - (a) have an interior that is unable to generate a spark; and
  - (b) have an exterior completely sheathed in fire resistant material; and
  - (c) be secured so that a person cannot gain access to the substance without tools, keys, or any other device used for operating locks, and have a close fitting lid; and
  - (d) be designed and constructed so that it can be readily moved by 1 person in the event of a fire or similar emergency that could put the explosives at a risk of unintended detonation.
- (3) Where table 7 in Schedule 2 requires a substance to be secured under lock and key, that substance may merely be secured in a container used only to secure

class 1 substances so that a person cannot gain access to the substance without tools, keys, or any other device used for operating locks, provided that the container is located separate from any dwelling.

- (4) This regulation does not apply to containers that, under regulation 25, continue to be subject to an existing licence under the Explosives Act 1957.

#### **24 Design of container securing class 1 substances**

- (1) The design of any container to which regulation 23(1) applies whose construction is started after the commencement of these regulations must—
- (a) specify the material type to be used in making the container, its dimensions, and its components, including any part of the container through which access is gained to the contents, the locking arrangements for any such entry, and the arrangements for securing the container against removal; and
  - (b) have a test certificate certifying that the design meets either the requirements for compressive, shear, and tensile strength specified in regulation 23(1)(a) or the requirements of a code of practice approved by the Authority for the construction of magazines.
- (2) Before being used to secure a class 1 substance, any container to which regulation 23(1) applies must have a test certificate certifying that the container is constructed according to either the design specifications of subclause (1) or a code of practice approved by the Authority for the construction of magazines.
- (3) A test certificate under subclause (2) must be obtained at intervals not exceeding 5 years, certifying that the container continues to meet either the design specifications of subclause (1) or a code of practice approved by the Authority for the construction of magazines.
- (4) Before being used to secure a class 1 substance, any container specified in regulation 23(2) must have a test certificate certifying that the container is constructed according to either the design specifications of regulation 23(2) or a code of practice approved by the Authority for the construction of readily moveable containers.
- (5) A test certificate under subclause (4) must be obtained at intervals not exceeding 5 years, certifying that the container continues to meet either the design specifications of regulation 23(2) or a code of practice approved by the Authority for the construction of readily moveable containers.

#### **25 Continuation of existing container requirements**

- (1) The requirements in regulation 23(1) do not apply for a period of 10 years from the commencement of these regulations where any container to which that provision applies was, immediately before the commencement of these regulations,—



- (a) approved by the Chief Inspector of Explosives to store explosives under a storage licence controlled by Part V of the Explosives Regulations 1959; or
  - (b) approved by the Authority under Part XV of the Act.
- (2) The requirements in regulation 23(2) do not apply for a period of 10 years from the commencement of the Hazardous Substances (Classes 1 to 5 Controls) Amendment Regulations 2003 where any container to which regulation 23(2) applies was, immediately before the commencement of those regulations,—
- (a) a container as specified by regulation 38 of the Explosives Regulations 1959 to hold explosives for sale, approved by the Chief Inspector of Explosives under a licence to sell under Part VI of the Explosives Regulations 1959; or
  - (b) a container as specified by regulation 38 of the Explosives Regulations 1959 to hold the explosives for sale, approved by the Authority under Part XV of the Act.

## **9 Requirements to establish a hazardous substance location**

- (1) Regulation 26 of the principal regulations is amended by inserting, after subclause (1), the following subclause:
- (1A) Despite subclause (1), a hazardous substance location is not required to be established for the following class 1 substances in quantities below 10 000 kg (gross weight):
- (a) safety ammunition, including pre-primed cartridges and primers, of class 1.4S:
  - (b) airbag initiators and seatbelt pretensioners of class 1.4G or 1.4S:
  - (c) cable cutters of class 1.4S (UN 0070):
  - (d) power device cartridges of class 1.4S (UN 0323):
  - (e) signal tubes or shock tubes of class 1.4S (UN 0349):
  - (f) cassette degradation devices of class 1.4S (UN 0432).
- (2) Regulation 26 of the principal regulations is amended by revoking subclause (3), and substituting the following subclause:
- (3) The person in charge of the hazardous substance location must ensure that—
- (a) they personally are an approved handler for the relevant substances, or can demonstrate that a person is available who is an approved handler for the substances (where regulation 13 requires the class 1 substance to be under the control of an approved handler); and
  - (b) any container or building used to hold the substance is secured as required by regulation 22.
- (3) Regulation 26(5) is revoked.

**10 Requirements to reduce likelihood of unintended initiation at hazardous substance location**

- (1) Regulation 27(1) of the principal regulations is amended by revoking paragraphs (b) to (e), and substituting the following paragraphs:
  - (b) any piece of fixed equipment or part of the facility structure that is capable of producing a spark or transferring spark energy to any class 1 substance meets the requirements of regulation 16; and
  - (c) any piece of equipment or part of the facility structure that is capable of generating heat or fire meets the provisions of regulation 17; and
  - (d) no readily combustible material is present within 5 m of the outside of the hazardous substance location; and
  - (e) any equipment or part of the facility structure that is capable of accumulating a static electrical charge meets the requirements of regulation 18; and
- (2) Regulation 27 of the principal regulations is amended by adding the following subclauses:
  - (5) Despite subclause (3), inspecting and packaging may continue for any—
    - (a) fireworks in hazard classifications 1.3G, 1.4G, and 1.4S that are controlled under the Hazardous Substances (Fireworks) Regulations 2001; and
    - (b) class 1.4 substances.
  - (6) Subclause (3)(c) does not apply to class 1.4S substances.

**11 Test certificate requirement for hazardous substance location**

- (1) Regulation 30(1) is amended by omitting the expression “subclause (2)”, and substituting the expression “subclauses (2) and (3)”.
- (2) Regulation 30 is amended by adding the following subclause:
- (3) The requirements of subclause (1) do not apply to the following substances:
  - (a) safety ammunition, including pre-primed cartridges and primers, of class 1.4S:
  - (b) airbag initiators and seatbelt pretensioners of class 1.4G or 1.4S:
  - (c) cable cutters of class 1.4S (UN 0070):
  - (d) power device cartridges of class 1.4S (UN 0323):
  - (e) signal tubes or shock tubes of class 1.4S (UN 0349):
  - (f) cassette degradation devices of class 1.4S (UN 0432).

**12 Requirements to control adverse effects of unintended initiation at hazardous substance location**

- (1) Regulation 31(2) of the principal regulations is amended—

- (a) by omitting the words “limit the quantity of class 1 substances present at that location”, and substitute the words “manage all class 1 substances present within the location”;
  - (b) by omitting from paragraph (a) the expression “than—”, and substituting the words “than any of the following.”;
  - (c) by omitting from paragraph (a)(i) the expression “11 kPa”, and substituting the expression “13 kPa”;
  - (d) by omitting from paragraph (b) the expression “than—”, and substituting the words “than any of the following.”;
  - (e) by omitting from paragraph (c) the expression “than—”, and substituting the words “than any of the following.”;
- (2) Regulation 31(2) of the principal regulations is amended by adding the following paragraph:
- (d) vulnerable facilities are not subject to more than a blast overpressure of 2 kPa, in the case of a hazardous substance location established after the commencement of the Hazardous Substances (Classes 1 to 5 Controls) Amendment Regulations 2003.
- (3) Regulation 31 of the principal regulations is amended by inserting, after subclause (2), the following subclause:
- (2A) A hazardous substance location complies with subclause (2) if—
- (a) the total quantity and type of class 1 substances are limited to meet the prescribed blast overpressure, heat radiation, and hazardous fragment limits of subclause (2) at the boundary of the hazardous substance location; or
  - (b) the distances between the class 1 substances and the boundary of the hazardous substance location are set to meet the prescribed blast overpressure, heat radiation, and hazardous fragment limits of subclause (2); or
  - (c) the person in charge complies with a code of practice approved by the Authority as meeting the requirements of subclause (2).

### **13 Requirements to be met by person in charge of detonation or deflagration of class 1 substances**

Regulation 32 of the principal regulations is amended—

- (a) by inserting in subclause (1), after the words “class 1 substance”, the words “, other than those substances described in regulation 13(2)”;
- (b) by inserting at the beginning of subclause (1)(a) the words “where regulation 13 requires the substance to be under the personal control of an approved handler.”;

- (c) by omitting from subclause (5) the words “The person”, and substituting the words “For substances of hazard classification 1.1 or 1.5, and for other class 1 substances in amounts exceeding the quantities for the relevant classifications specified in table 6 in Schedule 2, the person”.

#### **14 Requirements to be met by approved handler for detonation or deflagration of class 1 substance**

- (1) Regulation 33(1) of the principal regulations is amended by adding the expression “; and” to paragraph (e), and also by adding the following paragraph:

(f) the firing is monitored, and any misfired charge is identified.

- (2) Regulation 33 of the principal regulations is amended by inserting, after subclause (1), the following subclause:

- (1A) If a misfired charge is identified under subclause (1), the approved handler must—

(a) ensure that no person approaches the misfired charge for 10 minutes in the case of an electrically fired charge or 60 minutes in the case of a charge fired by a fuse; and

(b) then safely dispose of the malfunctioning charge with out undue delay in accordance with the Hazardous Substances (Disposal) Regulations 2001, and advise the person in charge to maintain the requirements of regulation 32(3) until this has been completed.

#### **15 Requirements to be met by approved handler to control adverse effects of intended detonation or deflagration**

Regulation 34 of the principal regulations is amended by inserting, after subclause (1), the following subclause:

- (1A) Despite specific limits in subclause (1)(b), (c), and (d), an approved handler in charge of a detonation may calculate a variation to the specified limit that takes account of the frequency of ground vibration expected to result from the blast in accordance with Appendix J of AS 2187.2 1993, and undertake detonations in accordance with that limit provided the requirements of Appendix J5 of AS 2187.2 1993 for operating practice are complied with.

#### **16 Additional requirements to be met by approved handler at outdoor pyrotechnic display involving firings of class 1 category G substances to heights over 60 m**

Regulation 43(a) of the principal regulations is amended by revoking subparagraph (ii), and substituting the following subparagraph and words:

(ii) for its ability to withstand the ignition of an upside-down shell within the mortar tube without producing any hazardous fragments;—

and in no case is the mortar tube to be of metal or PVC; and

**17 Requirements for transfer of class 1 substances from one type of transport to another**

- (1) Regulation 46(1) of the principal regulations is amended by revoking paragraph (b), and substituting the following paragraph:
- (b) where regulation 13 requires a class 1 substance to be under the personal control of an approved handler, ensure that there is an approved handler personally in control of the substances being transferred; and
- (2) Regulation 46 of the principal regulations is amended by adding the following subclause:
- (5) Containers containing class 1 substances held within a designated transfer zone must be separated from other hazardous substances by a distance of not less than 15 m.

**18 Requirements to be met by approved handler at designated transfer zone**

Regulation 48(3)(b) is amended by adding the words “(or less than 24 hours for substances of class 1.4C, 1.4E, 1.4G, or 1.4S)”.

**19 Transportation by road or rail of class 1 substances**

Regulation 51(2) of the principal regulations is amended by revoking paragraphs (b) and (c), and substituting the following paragraphs:

- (b) the requirements of regulations 15, 16, 17, and 21 are met by the vehicle itself and by any arrangements for stowing the explosives in the vehicle; and
- (ba) in addition to the fire extinguisher requirements of Schedule 3 of the Hazardous Substances (Emergency Management) Regulations 2001, a 9 l foam fire extinguisher is present on the vehicle; and
- (c) only persons necessary for the transportation or implementation of emergency procedures are in the vehicle or the train, provided that when quantities greater than 250 kg (gross weight) of substances in class 1.1, 1.2, 1.3 or 1.5 are carried in a vehicle, a minimum of 2 persons are present; and

**20 New regulation 51A inserted**

The principal regulations are amended by inserting, after regulation 51, the following regulation:

**51A Acceptable means of compliance with regulation 51(2)(b)**

An acceptable means of meeting the requirements of regulation 51(2)(b) is—

- (a) for vehicles carrying more than 50 kg (gross weight) of substances in classes 1.1B or 1.2B, or more than 250 kg (gross weight) of substances in classes 1.1 (other than 1.1B), 1.2 (other than 1.2B), or 1.3, a vehicle for which—

- (i) the whole of the exhaust pipe, and the fuel tank containing fuels with a flash point less than 60°C, is separated from the class 1 substances by a fire-resisting screen; and
  - (ii) the underside of the tray holding the class 1 substances and the area at the front of the tray facing the cab is covered with 1.5 mm iron sheet, or the cab itself is of fire-resisting construction; and
  - (iii) the tray is constructed of material unable to generate a spark and is enclosed:
- (b) for vehicles carrying more than 250 kg (gross weight) of substances in classes 1.1B or 1.2B, or more than 2 000 kg (gross weight) of substances in classes 1.1 (other than 1.1B), 1.2 (other than 1.2B), or 1.3, a vehicle for which, in addition to the requirements under applicable under paragraph (a):
- (i) the substances are contained in a standard ISO transport container that is fixed to the vehicle by locked twist locks; or
  - (ii) the substances are enclosed in a solid walled vehicle with a locked door.

## 21 New regulation 52A inserted

The principal regulations are amended by inserting, after regulation 52, the following regulation:

### 52A Exemptions from transportation requirements for certain substances

Regulations 51 and 52 do not apply to the following substances:

- (a) safety ammunition, including pre-primed cartridges and primers, of class 1.4S:
- (b) airbag initiators and seatbelt pretensioners of class 1.4G or 1.4S:
- (c) cable cutters of class 1.4S (UN 0070):
- (d) power device cartridges of class 1.4S (UN 0323):
- (e) signal tubes or shock tubes of class 1.4S (UN 0349):
- (f) cassette degradation devices of class 1.4S (UN 0432).

## 22 Schedule 1 amended

The principal regulations are amended by revoking so much of Schedule 1 as relates to explosives, and substituting the item set out in Schedule 1 of these regulations.

## 23 Schedule 2 amended

Schedule 2 of the principal regulations is amended by revoking tables 5 and 6, and substituting the tables 5, 6, and 7 set out in Schedule 2 of these regulations.

**Schedule 1**  
**Substituted items relating to explosives in Schedule 1 of principal regulations**

r 22

<b>Property of substance</b>	<b>Hazard classification of substance</b>	<b>Maximum quantity per package</b>
explosive	Emergency distress signals of hazard classifications 1.3G (UN 0092, 0195), 1.4G (UN 0191, 0197, 0312), and 1.4S (UN 0373, 0405)	5 kg (gross weight)
	Model rocket motors of hazard classification 1.4S (UN 0349, 0432)	5 kg (gross weight)
	Safety ammunition of hazard classification 1.4S (UN 0012, 0014, 0044, 0055)	15 kg (gross weight)

**Schedule 2**  
**New tables 5, 6, and 7 substituted in Schedule 2 of principal regulations**

r 23

Table 5

r 26, 31

Quantities of class 1 substances that activate requirements for establishing a hazardous substance location, and for establishing a controlled zone to limit effects

<b>Hazard classification</b>	<b>Quantities</b>
1.1B, 1.2B, and 1.4B	1 kg
1.1 (other than 1.1B or 1.1C and gunpowder of 1.1D), 1.2, and 1.5	5 kg
1.1C and 1.3 (other than 1.3G) and gun powder of 1.1D	15 kg
1.3G and 1.4 (other than 1.4S)	100 kg
1.4S	200 kg
Fireworks in hazard classifications 1.3G, 1.4G, and 1.4S that are controlled under the Hazardous Substances (Fireworks) Regulations 2001	1 000 kg (gross weight)

Table 6

r 26, 30, 32, 46, 51

Quantities of class 1 substances that activate requirements for a test certificate at a hazardous substance location, for a designated use zone, for a designated transfer zone, and for notification of transport

<b>Hazard classification</b>	<b>Quantities</b>
1.1B, 1.2B, and 1.4B	5kg
1.1 (other than 1.1B or 1.1C), 1.2, and 1.5	50 kg
1.1C and 1.3 (other than 1.3G)	100 kg
1.3G and 1.4 (other than 1.4S)	200 kg
1.4S	1 000 kg
Fireworks in hazard classifications 1.3G, 1.4G, and 1.4S that are controlled under the Hazardous Substances (Fireworks) Regulations 2001	10 000 kg (gross weight)
Safety ammunition including preprimed cartridges and primers of class 1.4S	25 000 kg (gross weight)

Table 7

Quantities of class 1 substances that activate requirements for securing the substance  
r 22, 23

<b>Hazard classification</b>	<b>Lock and key only, when not for sale</b>	<b>Readily moveable containers, when held for sale</b>	<b>Magazines, when not for sale</b>	<b>Magazines, when held for sale</b>
1.1B, 1.2B, and 1.4B	≤0.2 kg	≤1 kg	>0.2 kg	>1 kg
1.1 (other than 1.1B or 1.1C and gunpowder of 1.1 D), 1.2, and 1.5	≤2.5 kg	≤25 kg	>2.5 kg	>25 kg
1.1C and 1.3 (other than 1.3G) and gunpowder of 1.1D	≤15 kg	≤50 kg	>15 kg	>50 kg
1.3G and 1.4 (other than 1.4S)	≤15 kg	≤100 kg	>15 kg	>100 kg
1.4S	≤25 kg	≤200 kg	>50 kg	>200 kg



Marie Shroff,  
Clerk of the Executive Council.

### **Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on the 28th day after the date of their notification in the *Gazette*, amend the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001. The effect of the amendments is to—

- exempt additional low hazard explosive substances from requirements to be under the control of an approved handler, to be secured in a magazine, to have a hazardous substance location established and test certified, to have a designated use zone for their detonation, and to have restrictions on transport:
- restrict the display of explosives for sale:
- correct limits on stimuli that can cause an accidental explosion or fire:
- add requirements for containers that hold smaller quantities of explosives:
- delete the provision for a hazardous substance location to be notified to the Civil Aviation Authority:
- specify a 2 kPa standard of protection to vulnerable facilities from unintended explosions at new explosive sites:
- provide the same flexibility for managing unintended effects around a hazardous substance location as is provided for managing effects at a transfer zone:
- add a requirement for managing a misfired charge during intended detonations:
- allow the ground vibration limits for intended detonations to be varied for vibration frequency effects:
- specifically prohibit steel and PVC mortars from use in public pyrotechnic displays:
- add a separation distance between containers of class 1 substances and containers of other hazardous substances when held in a (transport) transfer zone:
- extend the time limit in a transfer zone to 24 hours for explosives in class 1.4 (minor fire hazard) and for fireworks:
- add requirements for vehicles transporting explosives:
- add requirement for vehicles transporting more than specified quantities of explosives to have a minimum of 2 people present:
- add quantity limits for safety ammunition, emergency distress flares, and model rocket motors able to be carried on public service vehicles:
- extend the exemption for combat to include training for combat for all explosives and for national security duties including training of explosives detector dogs.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 31 July 2003.

## **Eprint notes**

### **1    *General***

This is an eprint of the Hazardous Substances (Classes 1 to 5 Controls) Amendment Regulations 2003 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

### **2    *About this eprint***

This eprint is not an official version of the legislation under section 18 of the Legislation Act 2012.

### **3    *Amendments incorporated in this eprint***

Hazardous Substances (Health and Safety Reform Revocations) Regulations 2017 (LI 2017/233): regulation 4(1)