



Speech by

Mr TIM MULHERIN

MEMBER FOR MACKAY

Hansard 13 April 1999

EXPLOSIVES BILL

Mr MULHERIN (Mackay—ALP) (3.49 p.m.): I wish to speak briefly to the Explosives Bill 1998. "Explosives", as defined in the Bill, covers a broad range of dangerous materials—not only those associated with blasting at mines and quarries but also those more closely associated with the general community, such as fireworks and even Christmas bonbons. Around the world, fireworks have a long history of providing entertainment to people. Most in this place probably have some fond memories of cracker night, bonfires and fun from these devices.

Mr Schwarten interjected.

Mr MULHERIN: What did the member used to do?

Mr Schwarten: I never used to do anything at all.

An honourable member interjected.

Mr Schwarten: No, not in my day. I was a good teacher. Did you used to put them in people's letterboxes?

Mr MULHERIN: No, not me. However, associated with these fond memories, there were an increasing number of injuries, vandalism, nuisance value and other very innovative uses of these fireworks devices. As a kid, with other kids in our street, we would convert harmless throwdowns into lethal projectiles by removing the contents of a throwdown and placing the contents into the end of a bolt and nut and then screwing a similar bolt on the end of the nut. We would then ride our bikes along the road and throw the bolt headfirst onto the road, causing an explosion that would fire the bolt into the air. Luckily, we were not killed or seriously maimed. I remember some kids suffering serious facial burns, which scarred them for life, or reading about someone losing the sight of an eye.

Owing to public pressure from concerned parents, doctors and health professionals because of the actions of kids like me and other kids of my generation, a decision was made in 1972 to restrict the sale of fireworks to the general public in Queensland and to limit fireworks to public displays for the legitimate entertainment of the public by competent operators. Other States also introduced similar restrictions. I believe that only the ACT and the Northern Territory permit sales to the public, and even then there are some restrictions. Since 1972, fireworks have continued to grow as an entertainment in Queensland. Only now, through a fireworks industry concentrating on artistic displays—

Mr Schwarten: There's a lot of significance in the Parliament to these cracker nights. You know that, don't you?

Mr MULHERIN: Yes, I know that. At almost any public or sporting event there is a place for such entertainment. However, the devices used in public displays are larger, more powerful and consequently more dangerous than we would remember from the past. Further, because the purpose of these devices is to entertain, there must be a large number of people in reasonably close proximity to the fireworks displays. Hence, safety in such displays is an essential element of concern.

Some people within the community and within the fireworks industry would argue that restrictions on the availability of fireworks should be removed. However, the number of people who hold such concerns are not significant and the broader fireworks industry itself has indicated that it believes

that the current restrictions should continue. In August last year, subordinate legislation made under the existing Explosives Act was amended to clarify requirements in this regard. People were using a legislative loophole to sell fireworks to the general public. The problem rested on what constituted a public display within the current Act, which stated that a competent person is necessary to undertake fireworks displays for public entertainment. These unscrupulous people used this definition to their advantage by stating that a public display may be carried out by any member of the public. The illegal sales of fireworks to the general public and the illegal use of bungers, rockets and other fireworks devices does occur, but the Explosives Inspectorate with the assistance of the police and the general public are minimising such occurrences.

Following the passage of this Bill, subordinate legislation concerning fireworks in Queensland will be reviewed. There is value in seeing how other authorities deal with this issue. It is interesting to note that some of the Asian countries where the use of fireworks is traditional are introducing restrictions because of the problems experienced within their communities.

In closing, a balance between the legitimate entertainment value of fireworks and the safety of the community is needed. National standards that have been developed and a competent use of the devices in public displays would seem to provide the best chance of achieving this balance. The explosives legislation will provide the vehicle for satisfying this need, and I commend the Bill to the House.
