

QUESTION ON NOTICE

No. 449

asked on Tuesday, 15 April 2008

MRS LAVARCH ASKED THE MINISTER FOR MINES AND ENERGY (MR WILSON)—

QUESTION:

Will he advise what measures the Government adopts for dealing with the use of illegal fireworks?

ANSWER:

I thank the Member for her question.

I know that the issue of firework safety has particular importance to the Member and her community, since the tragedy at Bray Park in 2000.

Since the tragedy at Bray Park in 2000, my Department, in conjunction with the fireworks industry, has produced a publication titled *Queensland Code of Practice for the Control of Outdoor Fireworks Displays*. This code adopts a contemporary risk management approach to the safe management of fireworks activities and has been linked to national training competencies which will further enhance the safety and professionalism of the industry. Fireworks sold in Queensland are now required to have a Certificate of Compliance that provides technical performance and safety data to fireworks operators. These certificates are developed in accordance with a fireworks product safety code and a fireworks product safety sampling and test standard developed by my Department.

This holistic approach in improving the quality and safety of legal fireworks with the competence of fireworks operators and setting minimum standards is improving the overall safety of fireworks activities. Additional resources have been deployed since 2000 to monitor fireworks activities. The Department continues to work with the fireworks industry through the Fireworks Advisory Committee to continually seek improvements in fireworks safety.

With reference to the illegal use of fireworks in Queensland, I have been advised by my Department that:

- (1) The use of fireworks by the general public was prohibited in Queensland in 1972 and while other states followed suit, fireworks remain available to the public at certain times of the year in the ACT and Northern Territory. Fireworks from these areas and other potential sources are being brought into Queensland illegally for public consumption.

- (2) Fireworks, apart from novelty items such as sparklers, are controlled under the *Explosives Act 1999* such that only professional licensed fireworks contractors can purchase and use fireworks in Queensland for public displays for entertainment purposes.
- (3) The community is regularly reminded, by publications, media releases at relevant opportunities (prior to New Year, Chinese New Year) and website information, that the sale, possession or use of fireworks without a licence in Queensland can result in a fine of up to \$30,000 or six months imprisonment.
- (4) In the interests of safety, any member of the public who has information in relation to the illegal sale or use of fireworks can pass it on to the police and action will be taken. The Explosives Inspectorate in my Department works closely with the Queensland Police Service to prosecute those involved in any way in the illegal trade of fireworks, with approximately 150 prosecutions in 2007. The levels of fines being imposed by magistrates in such cases is increasing with recent fines up to \$6,000.
- (5) The issue of illegal fireworks is not solely a Queensland issue and attempts have been made to have a national ban on fireworks availability for the community. However, to date the territories have not agreed to this outcome.
- (6) Arrangements have recently been put in place for Australian Customs to notify relevant explosives regulators of all known imports of explosives, including fireworks, into Australia. The ability for state and territory explosives regulators to track known imports of fireworks is now significantly enhanced.
- (7) While the legitimate and professional use of fireworks at public displays continues at a high level of safety, the illegal activities remain of concern. Those fireworks sold illegally are generally of poor quality, have not been checked to quality standards and are far more powerful than those used by the public prior to 1972.
- (8) In past years these illegal fireworks have led to fatalities in Victoria and South Australia, and serious injuries in Queensland and elsewhere when used by inexperienced persons and hence it is necessary to constantly alert the community to the risks involved and to restrict their fireworks enjoyment to professional public displays carried out at suitable and safe venues.