

THE OPERATION OF THE *DANGEROUS GOODS ACT 1975* WITH PARTICULAR REFERENCE TO FIREWORKS

Report No. 3 of the Standing Committee on Legal Affairs

June 2002

Legislative Assembly for the Australian Capital Territory



Resolution of appointment of the Standing Committee on Legal Affairs

On 11 December 2001 the Legislative Assembly for the Australian Capital Territory resolved to establish a general purpose standing committee, called the Standing Committee on Legal Affairs:

to perform the duties of a scrutiny of bills and subordinate legislation committee and examine matters related to community and individual rights, consumer rights, courts, police and emergency services, corrections including a prison, governance and industrial relations, administrative law, civil liberties and human rights, censorship, company law, law and order, criminal law, consumer affairs and regulatory and regulatory services.

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LIST OF RECOMMENDATIONS

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1. Recommendation—That the Attorney General investigate the status of those submissions to the current inquiry that contained a reference to a prize of fireworks for members of the public signing a petition intended to be lodged in the Legislative Assembly 3
2. Recommendation—That the Dangerous Goods Act 1975 and subordinate legislation be urgently redrafted - especially in relation to the sale, safety and definition of fireworks - to improve clarity, incorporate all relevant Australian and International Standards, lessen the current dependence on regulation, ensure appropriate safeguards and make explicit the small group of fireworks exempted from licensing provisions (such as bonbons, party crackers, caps for cap guns, and small sparklers). 10
3. Recommendation—That the government, in conjunction with the review and redraft of the Dangerous Goods Act and subordinate legislation, review the role of WorkCover in relation to the regulation of fireworks. 19
4. Recommendation—That the ACT government arrange for a full environmental impact analysis to be undertaken of the effect of fireworks. 13
5. Recommendation—That the ACT government pressure the states, Northern Territory and the Commonwealth to work towards the national harmonisation of regulations affecting the sale and use of fireworks in Australia. In particular, all governments should introduce measures to stop the trade in illegal fireworks. 15
6. Recommendation—That the ACT government encourage the Commonwealth government to become more involved in ensuring appropriate certification of fireworks imported into Australia, especially in relation to ensuring that uniform and appropriate standards apply to all imported fireworks. 15
7. Recommendation—That the ACT government ensure legislation requires clear and accurate classification and labelling on all explosives including fireworks. 15
8. Recommendation—That the ACT government permit the use of fireworks on just three occasions: for cultural events such as Chinese New Year; for public displays such as ‘Skyfire’; and for pre-arranged community events during the three-day period over the June long weekend. 16
9. Recommendation— That persons wishing to organise fireworks events during the June long weekend should be required to obtain WorkCover’s approval at least two weeks before the weekend. They should be required to state the location and evening of the event. A condition of approval should be that adjacent neighbours are notified at least a week before the event. 16

10. Recommendation—That persons wishing to obtain a permit to purchase and use fireworks during the three-day period be required to have prior training or demonstrated competence in basic fireworks technology, use and safety. 16
11. Recommendation— That fireworks retailers should be required as part of their licensing to have staff who are trained/accredited in the correct use and performance of fireworks items sold; and that only a relatively small administrative fee should be required to obtain a retailer's licence. 17
12. Recommendation—The committee recommends that fireworks sales for the June long weekend should be undertaken through prior ordering by pre-approved persons only, with pick up of orders to only occur during the three-day period. Stocks of fireworks should only be held in retail outlets to accommodate the pickup of orders. 17
13. Recommendation—That the ACT government introduce a provision in the fireworks legislation to enable the police to impose on-the-spot fines for people and organisations possessing, selling and displaying illegal fireworks. The committee suggests that the scale of the fine should be set at an appropriately high level, at least as high as those recently announced by the NSW Government (\$1,100 for individuals, and, in the case of commercial operators, \$5,500 for each offence). 17
14. Recommendation—That the government monitor the operation of the new regulatory regime recommended by the committee and especially of fireworks activities over the June long weekend. A report on the efficacy of the new arrangements should be presented to the Assembly during the Spring Sitzings for the next two years. 18
15. Recommendation—That all fireworks be tested for compliance and approval by (a) the supplier conducting batch testing on the proposed fireworks with the test outlined in the Standard, and the tests being fully documented; and (b) the regulator either to be present at the testing or to conduct its own test audit for final approval (including of environmental requirements). 18
16. Recommendation—That the government institute an urgent review, by an appropriate and independent body, of WorkCover's fireworks storage facility(ies) to ensure they meet all relevant Australian and International Standards. 19

1. INTRODUCTION

Inquiry terms of reference

1.1. On 13 December 2001 the Legislative Assembly for the Australian Capital Territory resolved:

That the Standing Committee on Legal Affairs inquire into and report, by 27 June 2002, on the operation of the *Dangerous Goods Act 1975* with particular reference to:

- (a) the sale of fireworks in the Territory;
- (b) the general safety of setting off fireworks; and
- (c) any other related matter.

1.2. This report satisfies the Assembly's direction.

Layout of this report

1.3. The report has three chapters and one appendix. This introductory chapter sets out the manner in which the committee conducted the inquiry. Chapter 2 lists the principal issues raised in evidence presented to the committee. Chapter 3 contains the committee's conclusions and recommendations in relation to each of the items in the terms of reference. Because the 'general safety of fireworks' appears to come before a consideration of the 'sale of fireworks', the committee has dealt with item (b) of the terms of reference ahead of item (a).

1.4. The appendix lists the names of submitters, along with information about their state or territory address.

Call for public input

1.5. In February 2002 the committee placed advertisements in the local media inviting public submissions. The nominated closing date for receipt of submissions was 15 April 2002 but this was later extended to the end of April 2002. In the event, the committee continued to accept submissions after that date.

1.6. The committee wrote to a wide range of people to inform them about the inquiry and to invite them to lodge submissions. These people (or their organisations) included (in alphabetical order) Animal Liberation; Australasian Spectaculars; Belconnen Community Council; Buddhist Society of the ACT; Chinese Australian Association; Crackerman; Fireworks Australia P/L; Fireworks4U; Fireworks King; Gungahlin Community Council; Mr Chick Henry; Howard & Sons Fireworks Spectaculars P/L; Kidsafe; North Canberra Community Council; Red Back Fireworks; RSPCA; Tuggeranong Community Council; Mr Upton; and Weston Creek Community Council.

1.7. The committee discussed the regulation of fireworks with Northern Territory officials during a visit to Darwin in March 2002.

The public response

1.8. The committee received 230 submissions from persons (and organisations) listed in the appendix to this report. The committee makes the following observations about the submissions:

- 171 of the 230 submissions were form letters (or e-mails);
- 71 of the 171 form letters and e-mails submitted that firework sales to the public should be banned;
- 100 of the 171 standard letters and e-mails submitted that the public ‘should be entitled to purchase and use fireworks within a safe and regulated retail environment’;
- 65 of the 230 submissions were from ACT addresses;
- 108 of the 230 submissions were from NSW addresses; 32 submissions were from Victorian addresses; six submissions were from Queensland addresses, six from South Australian addresses, four from Queensland addresses, two from Western Australian addresses, one from a Tasmanian address, two from addresses in the USA, and one each from the United Kingdom and the Netherlands.

The committee’s treatment of the submissions

Publication of submissions

1.9. All but six of the 230 submissions lodged with the committee were authorised for publication and are available on request from the Committee Office of the ACT Legislative Assembly.

1.10. One submission was kept confidential at the request of its author. The other five submissions that were not authorised for publication raised sensitive claims about the conduct of named persons that may be seen as reflecting adversely on those persons. In accord with advice from the Clerk of the Legislative Assembly and consistent with current House of Representatives and Senate practice—which is to give persons who may be adversely named in submissions to a committee inquiry a reasonable opportunity to respond to the allegations made against them before the committee decides whether to authorise publication of both the submissions and any response by the named party—the committee forwarded the relevant confidential submissions to the named persons asking if they would like to respond to the comments made about them.

1.11. At the time of finalising this report, the committee had not deliberated upon the responses from persons named in the five confidential submissions.

1.12. The committee has carefully considered the six confidential submissions in reaching the conclusions and recommendations set out in this report.

Submissions referring to a possible prize of fireworks

1.13. Of the 100 standard letters and e-mails submitting that the public ‘should be entitled to purchase and use fireworks within a safe and regulated retail environment’, 55 contained a reference to a possible prize of fireworks if members of the public signed and returned a petition to the ‘ACT Fireworks Industry Campaign’. The text of the petition was not attached to the submissions but it was stated to be ‘in support of fireworks’. The reference to the petition included the following:

As an added bonus, if you return the petition form fully filled in, you will go into the draw for up to \$500 worth of free fireworks!... The first person named in each petition will be entered into the draw...

Make sure you return your fully filled in petitions to be entered in our FREE FIREWORKS DRAW. 1st prize – valued at \$500. 2nd prize – valued at \$200. 3rd prize – valued at \$200.¹

14. The offer of a prize of free fireworks deeply concerned the committee, as it would be possible to consider such a prize as an improper inducement to persons to petition the Assembly. It might even be viewed as a ‘contempt’ of the Assembly. The committee notes that the reference to a prize of fireworks was in a document not addressed to the committee but to ‘friends and customers’ of the ‘ACT Fireworks Industry Campaign’. The committee informed relevant officers of the Assembly Secretariat about the possibility that they may receive a petition in support of fireworks that would need to be considered in light of the issues outlined in this paragraph.

1.15. The committee considers it desirable to clarify the status of submissions of the kind outlined above. Therefore, the committee makes the following recommendation.

Recommendation—That the Attorney General investigate the status of those submissions to the current inquiry that contained a reference to a prize of fireworks for members of the public signing a petition intended to be lodged in the Legislative Assembly

1.16. The committee states unequivocally that its deliberations and recommendations have in no way been influenced by the number of signatories to a campaign involving a prize of fireworks.

¹ The back page of certain form letters in support of the purchase and use of fireworks by the public, addressed by the ‘ACT Fireworks Industry Campaign’ to its ‘dear friends and customers’.

Possible ‘charge’ against a member of the Assembly

1.17. One confidential submission claimed that a committee member had made highly prejudicial statements in relation to the inquiry and, by displaying such bias, should step down from the inquiry. The committee viewed this claim in light of the Legislative Assembly’s standing order number 259 which reads:

If any information comes before any committee that charges any member of the Assembly, the committee ought only to direct that the Assembly be acquainted with the matter of the information, without proceeding further.

1.18. The committee took advice from the Clerk and Deputy Clerk of the Assembly and then from the Government Solicitor. In line with that advice, the committee determined that a ‘charge’ had been laid against an Assembly member—and the committee so advised the Assembly by way of a written report presented on 25 June 2002.

1.19. The committee assures the Legislative Assembly that it endeavoured at all times to conduct the inquiry with impartiality and respect for the complete range of evidence presented to it.

Public hearings

1.20. The committee conducted public hearings on 31 May, 7 June and 18 June 2002. The committee provided all parties with the opportunity to speak frankly and fearlessly to members about their experiences of the regulatory framework. Where the parties felt that the account of their experiences required them to make personal comments about the behaviour of named persons, the committee (after first stressing the need for all such comment to be relevant to the inquiry terms of reference set by the Legislative Assembly) heard such evidence in closed session.

1.21. The people who appeared before the committee are listed below, in alphabetical order by day of hearing. The number of their submission (which is allocated by the Committee Office upon receipt of the submission) is also shown.

Friday 31 May 2002

ACT FIREWORKS ASSOCIATION (SUB. 221):

- Mr Davey (Public Affairs Officer, ACT Fireworks Association);
- Mr Schofield (Red-Back Fireworks P/L), confidential sub 223;
- Mr Southwell (Managing Director, Fireworks King (ACT) P/L, confidential sub 224;
- Mr Worthley (National Sales Manager, Fireworks King), confidential sub 225;
- Mr Upton (Managing Director, Australasian Spectaculars), confidential sub 226.

DIRECTOR OF PUBLIC PROSECUTIONS

- Mr Richard Refshauge SC

Friday 7 June 2002

ACT CHINESE AUSTRALIAN ASSOCIATION (SUB. 84):

- Mr Wong (Patron)

ACT FIREWORKS ASSOCIATION (SUB. 221): in-camera

- Mr Davey (Public Affairs Officer, ACT Fireworks Association);
- Mr Southwell (Managing Director, Fireworks King (ACT) P/L, confidential sub 224

ACT EMERGENCY SERVICES BUREAU:

- Mr Castle (executive director), Mr Lucas-Smith (director, Bushfire & Emergency Service), Mr Bennett (Fire Commissioner)

AUSTRALIAN FEDERAL POLICE:

- Superintendent Hepworth (both public and in-camera)

AUSTRALIAN MARKETING RESEARCH SERVICES (SUB. 173):

- Mr Mitchell (chief executive officer) and Mr Ng

Mr Cartolano (SUB. 139)

Mr Manderson

NATIONAL FEDERATION OF INDEPENDENT BUSINESS INC. (SUB. 159):

- Mr Farrell (federal president) and Mrs Ayson (ACT)

RSPCA, ACT Inc. (SUB. 94):

- Mr Tadd (executive officer, RSPCA, ACT) and Mr Jacomb (RSPCA)

WORKCOVER (SUB. 174): both public and in-camera

- Ms Plovits (OH&S Commissioner)
- Mr Nicol

Tuesday 18 June 2002

CRACKERMAN:

- Mr Gavin (SUB. 86) (both public and in-camera)

FIREWORKS AUSTRALIA IMPORTERS P/L (SUB. 28):

- Mr Brady (managing director) (in-camera)

Mr Minter (SUB. 172).

2. ISSUES RAISED IN EVIDENCE

Issues raised in the submissions

2.1. The issues raised in submissions are listed below, in alphabetical order by nature of the issue. Many submitters raised more than one issue and so they appear under several headings. The committee does not claim that this list is exhaustive but points out that the list is intended to serve only as a guide to the principal concerns raised by submitters.

ACT retail fireworks industry is beneficial to the ACT economy

Submission 173, 226 (confidential)

Animals are terrified and panicked by fireworks, which therefore should be banned (from sale to the public)

Submissions 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 24, 25, 26, 27, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 85, 87, 88, 89, 90, 91, 92, 94, 95, 96, 97, 98, 105, 107, 108, 222, 227(confidential)

Australian States have banned the sale of fireworks to the public—and the ACT should fall into line

Submissions 1,2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 25, 26, 29, 39, 53, 69(?), 95, 96, 102, 105, 107, 108

Businesses selling fireworks should not be adversely affected by further regulatory restrictions

Submission 84, 86, 93, 109, 110, 221

Conditions should be met by purchasers of fireworks, who should be specified operators only—and they should be permitted to use them only for specified purposes

Submissions 9, 10, 13, 23, 84, 90, 94, 95, 174, 227(confidential)

Dangerous Goods Act 1975 is an adequate regulatory regime

Submission 84, 86, 111

Dangerous Goods Act 1975 needs amendment because it is not technically up-to-date and/or is potentially dangerous with respect to its regulation of a safe work environment and/or is not ‘best practice’ and/or ignores Australian Standards and Codes of Practice, and/or cannot be understood by non-technical personnel

Submission 28, 173, 174, 223 (confidential), 226 (confidential)

Displays of fireworks should be limited in number and duration

Submission 13, 84, 91, 95, 97, 98, 107, 174

Displays of fireworks should be confined to a specialised pyrotechnics park

Submission 86

Fireworks are produced overseas by slave labour and in unsafe conditions—and Australia should not purchase goods produced in this manner

Submission 94

Fireworks are used for longer periods than legally permitted or they are used in ways that are not legally permitted or they are purchased by people not authorised to buy them (such as minors)

Submissions 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 13, 14, 15, 17, 18, 19, 20, 22, 24, 25, 26, 29, 30, 31, 32, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 69, 70, 71, 72, 73, 75, 76, 77, 78, 79, 81, 82, 83, 84, 87, 88, 89, 91, 92, 96, 97, 98, 101, 102, 108, 174, 222, 227(confidential), 228, 230

Fireworks are used irresponsibly and dangerously

Submissions 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 22, 23, 24, 25, 26, 39, 52, 53, 66, 69, 81, 91, 92, 94, 96, 97, 98, 101, 102, 108, 174, 222, 227(confidential), 228, 230

Homemade bomb incidents should be investigated by a cross-jurisdictional task force on illegal fireworks

Submission 13

Interstate purchasers obtain ACT fireworks that they cannot legally obtain in their own state

Submissions 13, 52, 66, 81, 94, 174

Penalties for producing, selling and using illegal fireworks should be increased

Submission 13, 174

Pollution (eg noise and smoke) is caused by fireworks— so fireworks sales to the public should be banned

Submissions 13, 68, 91, 92, 95, 97, 105

Public education campaigns should be conducted (including in schools) about the nature of, and rules regarding, fireworks

Submission 13, 84, 172, 173, 226 (confidential)

Public should be able to purchase and use fireworks

Submission 28, 33(?), 93, 99, 100, 103, 104, 106, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220,

221(public and confidential), 222 (confidential), 223 (confidential), 224 (confidential), 226 (confidential), 229

Purchase by the public of a permit to buy fireworks is unnecessary— and should not be a condition of obtaining fireworks

Submission 86, 103, 226 (confidential)

Regulatory body (WorkCover) has failed as an effective regulator

Submission 28, 92, 109, 172, 173, 221 (public and confidential), 222 (confidential), 223 (confidential), 224 (confidential), 225 (confidential), 226(confidential)

Regulatory body (WorkCover) is undertaking costly, vexatious legal actions in relation to the fireworks industry and is disseminating inaccurate information about ACT fireworks

Submission 93, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221 (public and confidential), 222 (confidential), 223(confidential), 224 (confidential), 225 (confidential), 226 (confidential)

Regulatory body's powers and resources should be strengthened so that it can better enforce the rules and regulations

Submission 13, 102, 174

Regulatory body should not be WorkCover but, rather, the Office of Fair Trading

Submission 173, 221 (public and confidential), 222 (confidential), 226(confidential)

Regulatory regime should include an independent advisory council to monitor, evaluate and advise the government, businesses and local communities about the sale and use of fireworks

Submission 84, 173

Rewards should be offered to people providing information that leads to the arrest of persons involved in the sale and use of illegal fireworks

Submission 13

Shell size of fireworks should be limited for safety and noise reasons

Submission 13, 104, 174

Storage of fireworks is occurring in a dangerous manner

Submission 28, 174

Taskforce of ACT, state and federal police/Customs and other officers should investigate the entry of illegal fireworks into the ACT

Submission 13

Uniform national laws and regulations should apply to the sale and use of fireworks

Submission 100, 105, 174

Issues raised at the public and in-camera hearings, or in other places

2.2. In addition to the issues outlined above, various other issues were raised in the course of the inquiry. These included:

- there is a link between the sale of illegal fireworks sourced from the ACT and bombings and even assassinations involving warring outlaw bikie gangs¹
- the storage of fireworks by ACT WorkCover is not safe
- WorkCover has insufficient expertise in any and all aspects of fireworks
- the management of fireworks by WorkCover is not protecting legitimate sellers from black market traders
- fireworks enter the ACT from NSW with no control by ACT authorities and without their knowledge
- Australian Customs and quarantine do not adequately check fireworks for environmental problems
- the difficulties in regulating fireworks in the ACT corresponds to the opening of full-time fireworks stores in Canberra
- the storage of fireworks in commercial premises raises liability and insurance issues as well as issues of public safety—and the owners and users of adjacent buildings are particularly affected by these issues.

¹ For example, see the *Canberra Sunday Times*, front page, 24 March 2002.

3. CONCLUSION

The operation of the Dangerous Goods Act 1975

The need for improved legislation

3.1. The committee is struck by the fact that WorkCover, the DPP and the fireworks industry are highly critical of the existing legislation and regulations affecting the sale and operation of fireworks.¹

3.2. There is a common view that current arrangements involve an excessive number of regulations and that the legislation is not up to date, it is not comprehensive, it does not incorporate the depth of current technical knowledge that is desirable, and it does not incorporate relevant Australian Safety Standards. In the words of WorkCover, the *Dangerous Goods Act 1975* :

is an outdated and poorly worded piece of legislation with internal inconsistencies that create an unclear framework and imprecise definitions... It has a focus on prosecution rather than assistance to meet legal obligations through a compliance framework'.² [Further,] the whole Act needs an overhaul to bring [it] up to contemporary standards and to reflect modern technology.³

3.3. The existence of this type of regulatory environment goes a long way to explaining the depth of feeling among regulators and retailers alike. It also gives rise to suspicion that the current regulatory arrangements may be putting public safety at risk.

Recommendation—That the Dangerous Goods Act 1975 and subordinate legislation be urgently redrafted - especially in relation to the sale, safety and definition of fireworks - to improve clarity, incorporate all relevant Australian and International Standards, lessen the current dependence on regulation, ensure appropriate safeguards and make explicit the small group of fireworks exempted from licensing provisions (such as bonbons, party crackers, caps for cap guns, and small sparklers).

The performance of WorkCover in regulating fireworks

3.4. WorkCover submitted that a 1998 review of the regulatory regime of fireworks concluded 'there had been a breakdown in the effectiveness of regulating a high-risk product, and in providing for public safety'. New procedures and regulations introduced to improve the situation have not achieved this aim, and WorkCover's staff

¹ Submissions from WorkCover and the fireworks industry, along with evidence by the DPP (oral testimony in public on 31 May 2002 and confidential correspondence dated 5 June 2002).

² ACT WorkCover, submission dated April 2002 p. 9

³ Ms Plovits (OH&S Commissioner), transcript of public hearing on 7 June 2002.

(together with those of the AFP, Government Solicitor, and DPP) have to devote an inordinately proportion of their resources to problems posed by fireworks.¹

3.5. A considerable number of submitters/witnesses considered that the performance of WorkCover in regulating fireworks has been poor. Some examples provided to the committee included the following (note that the committee is not necessarily endorsing the comments):

- WorkCover has known of the inadequacies in legislation affecting fireworks for ten years, yet has not sought to introduce a set of workable enforceable regulations during that time
- WorkCover's recommendation to the government (which was accepted) that a \$5,000 shop permit fee and a \$20 public permit fee had the effect of discouraging the small fireworks traders who were complying with the law and replacing them by larger (and less cooperative) retailers. This was said to be partly because the larger retailers were allowed to sell fireworks without paying the shop permit fee and without checking that purchasers had a permit; when this was brought to WorkCover's attention, no action was taken
- WorkCover has not enforced the requirements relating to storing fireworks in retail outlets
- WorkCover has initiated a policy to ban the sale of fireworks to the Canberra public when its role is not to initiate policy but to enforce appropriate regulations
- WorkCover does not adequately ensure that fireworks are tested in the ACT before they are offered for sale
- WorkCover has not acted on a provision in the Dangerous Goods Act enabling people to purchase illegal fireworks to be fined.

The general safety of setting off fireworks

3.6. The committee took evidence that fireworks can be set off safely provided tight controls apply and operators are suitably trained. The committee accepts that the Australian public, like citizens of other countries, enjoys the large public displays that accompany events such as the Olympics or the Bicentennial.

3.7. The committee consulted the government authorities that deal with safety issues involving fireworks.

3.8. The AFP told the committee that 'since 1 January 2001 to 3 June 2002 there have been 381 incidents involving fireworks'.² 137 of these incidents involved a noise complaint and another 35 involved a disturbance. Also, the AFP found that businesses in Hume and Fyshwick were illegally selling fireworks in 1999, with the Hume business being potentially highly dangerous as it involved fireworks being stored in a

¹ ACT WorkCover, submission dated April 2002 p. 4.

² Document tabled by the AFP (Supt Hepworth) at a public hearing on 7 June 2002.

joinery shop that was part of a building complex. Further, the AFP found illegal fireworks being sold from a car at Summernats, the car being packed with explosives and the buyers including boys aged ten and 11.¹

3.9. The AFP considers that ‘anything that would restrict the use of dangerous fireworks, whether it be penalty or education or whatever, is going to assist’.²

3.10. The government’s Emergency Service Bureau considers that fireworks pose a risk requiring specific management measures and that, ‘despite [existing] risk treatments, there are still instances causing damage to property and potential injury to people’. However, they ‘might not get to a significant level’.³

3.11. The Bushfire and Emergency Service director informed the committee that three minor fires last summer involved fireworks:

In two of those cases... [the fireworks found at the scene] were sparkler-type things, and whether the fires were a result of carelessness in just letting them off or not understanding the consequences of them or whether it was a malicious or deliberate use of the firework as an ignition source, we don’t know...

The other [case] was a totally different scenario. It was a propane can with sparklers taped around it, and it was deliberately ignited and left on the ground as a deliberate arson device...

No other major fires last year [were] attributed to fireworks.⁴

3.12. The ACT Ambulance Service advised the committee that:

A search of the ACT Ambulance Service [ACTAS] database shows minimal requests for response to incidents resulting from fireworks. In 2000, ACTAS received one request to attend a person with a fireworks related injury, whilst in 2001 no such requests were received... [Of course, it is possible that persons affected by fireworks could self-present] to the public hospitals or to general practitioners...

Despite this... there is no doubt that fireworks can present a risk of injury if not used responsibly. In particular, it is vital that children are not able to purchase fireworks and that they are adequately supervised when fireworks are being used.⁵

3.13. Environment ACT has no written policies on fireworks. The committee understands that Environment ACT has no major concerns with fireworks. Smoke is not seen as a problem even from display events. It is possible to view noise as a problem but it is extremely difficult to measure accurately because instances of noise occur at random and for a very short time. It seems that issues of a quarantine nature have not arisen in the ACT (such as dirt in fireworks or bugs in wood attached to imported fireworks). Such quarantine issues are not the responsibility of Environment ACT but of the Commonwealth’s Australian Quarantine Inspection Service [AQIS].⁶

¹ AFP (Supt Hepworth) at a public hearing on 7 June 2002.

² AFP (Supt Hepworth) at a public hearing on 7 June 2002.

³ Emergency Services Bureau (Mr Castle, executive director), at a public hearing on 7 June 2002.

⁴ Bushfire and Emergency Service (Mr Lucas-Smith, director), at a public hearing on 7 June 2002.

⁵ Correspondence from the ACT Ambulance Service dated 22 March 2002.

⁶ Informal contact with Environment ACT officers.

3.14. Informal advice from AQIS is that it has recently become aware of possible quarantine issues relating to imported fireworks. These concerns relate to the use of timber pieces and/or soil material in the construction of fireworks. Such material has the potential to introduce exotic pests and diseases into Australia. The committee understands that AQIS proposes to initiate an investigation into the import of these goods to ascertain if import conditions have been complied with and to assess whether import conditions should be amended to cover the quarantine import risks.

3.15. In relation to the possible toxicity effects of fireworks, the committee contacted the Australian Medical Association and the ANU's National Centre for Epidemiology and Population Health. The committee was told (on an informal basis) that neither body keeps records of the toxicity of fireworks nor records of the chemical risks associated with their use. The National Centre for Epidemiology and Population Health also said that it was unaware of any research into this subject.

3.16. The committee is surprised at the apparent absence of information, at both the national and local level, about the environmental effect of fireworks. The committee considers it important that a full impact analysis of the effect of chemicals in fireworks be undertaken.

Recommendation—That the ACT government arrange for a full environmental impact analysis to be undertaken of the effect of fireworks.

3.17. The committee contacted the Australian Customs Service to ask about Commonwealth policies affecting imported fireworks.¹ The committee learnt that fireworks are not a prohibited import, though they were between 1938 and 1997. During this time, importers were required to obtain a permit from Customs before they could pick up fireworks at the docks. However, the permit did not mean that the Commonwealth sought to control the actual content of the fireworks. The import control was removed in 1997 following a review of regulatory provisions which concluded that the import control was unnecessary in view of existing state controls; further, it was seen to impose undue regulatory and cost burdens on business.

3.18. Customs also informed the committee that, in 2001, the governments of New South Wales, South Australia and the ACT wrote to the federal minister requesting the re-imposition of import controls on fireworks. In April 2002 the minister (Mr Abbott MP) wrote to all state and territory governments to advise that he had reviewed the situation and concluded that federal import controls would be an unnecessary burden on business and that the states had ample power to regulate the sale and use of fireworks.

3.19. Customs maintains figures of the overall value of fireworks imports but not of their volume. In 1999 fireworks to the value of \$5.957m were imported into Australia, in 2000 this fell to \$4.193m, in 2001 it was \$2.897m and in 2002 (to 31 March 2002) it was \$0.406m. Most fireworks entered Australia through Sydney. Customs does not have information about the end destination of the fireworks once they enter Australia.²

¹ Informal contact with Customs officials.

² Answer to question on notice by Senator Greig, Senate Hansard, 16 May 2002.

3.20. The definition of ‘fireworks’ used by Customs is:

the normal English dictionary definition of fireworks, it “a combustible or explosive device for producing a striking display of light or a loud noise, often used in signalling at night etc” (Macquarie Dictionary 3rd Ed) as well as the Explanatory Notes to the Harmonized Commodity Description and Coding System (Harmonized System) as amended from time to time by the World Customs Organisation. The Explanatory Notes aid in the classification of goods in accordance with the Harmonised System.

The Explanatory Notes state that fireworks include: bombs, fuses, maroons, jets, candles, luminous torches, Bengal matches and lights, etc, the purpose of which is to provide entertainment through the acoustic, luminous or smoke-producing effects of their combustion. Firing is ensured by a firing powder, such as black powder, integrated into the article and fired by an electric fuse head or a primer fuse.

[Customs] differentiates between fireworks and explosives.¹

3.21. There are considerable differences among Australian states and territories in relation to fireworks. WorkCover provided the following summary:

NSW allows for permits to be obtained under certain conditions, otherwise only public displays allowed. Permits are generally restricted to an organisation organising a display and are not generally provided to individuals

Victoria—administrative processes create an effective ban on use by the general public, only a licensed pyrotechnician can legally discharge fireworks. Cultural use allowed.

Queensland—banned except for public displays by licensed pyrotechnicians

Western Australia—banned except for public displays

South Australia—banned except for public displays by licensed pyrotechnicians

Tasmania—backyard displays restricted by safety distance of 50m and need to obtain consent from police, fire service and local council

Northern Territory—public can purchase with a permit for shopgoods fireworks over a three-day period leading up to Territory Day and use during a defined time period on Territory Day itself. A different permit is required for other times in the year

ACT—two-week purchase and three-day use period leading up and including the Queen’s Birthday weekend. Public and cultural displays by a licensed fireworks operator.²

3.22. The committee recognises that the different regulatory regimes across Australia lead to confusion and difficulties in controlling fireworks. In particular, the committee accepts that the ACT cannot monitor the entry of fireworks from NSW, which is the main source of imports into Australia. Further, the committee

¹ Ditto.

² WorkCover submission dated April 2002, p. 6.

acknowledges (though does not necessarily agree with) the position of the present Commonwealth government that the states and territories have sufficient powers to control the use and sale of fireworks. On balance, the committee considers that the whole fireworks situation would be improved by greater cooperation among states and territories and by more active oversight by the Commonwealth of the nature of imported fireworks.

Recommendation—That the ACT government pressure the states, Northern Territory and the Commonwealth to work towards the national harmonisation of regulations affecting the sale and use of fireworks in Australia. In particular, all governments should introduce measures to stop the trade in illegal fireworks.

Recommendation—That the ACT government encourage the Commonwealth government to become more involved in ensuring appropriate certification of fireworks imported into Australia, especially in relation to ensuring that uniform and appropriate standards apply to all imported fireworks.

3.23. The above recommendations should apply to the labelling of all fireworks, as the committee heard evidence that not all fireworks are adequately labelled. Until uniform national provisions are introduced, it is essential that the ACT stipulate a high standard of labelling for any fireworks sold in the ACT.

Recommendation—That the ACT government ensure legislation requires clear and accurate classification and labelling on all explosives including fireworks.

The sale of fireworks in the Territory

3.24. The committee did not hear evidence opposing the use of fireworks for cultural events and public displays. However, the committee certainly was made aware of the view by many in our community that the public should not be able to purchase fireworks at all. On balance, the committee considers that there are reasonable grounds to permit the sale of fireworks to, and use by, those members of the public holding a permit during the three-day June long weekend each year, under tight regulatory conditions to protect all parties. The nature of these regulatory conditions is set out in the following paragraphs. The committee has reached this conclusion on the following grounds:

- ❖ it means that fireworks are out in the community for a very short time; this reduces the impact on animals, people and property
- ❖ there is insufficient evidence to justify a total ban on sales to the public at this stage
- ❖ ACT families can still experience and enjoy fireworks once a year but must accept that this is the only time fireworks can be used by the public

- ❖ it appears possible to design and implement an appropriate regulatory regime that can protect the community, though such a regime must be carefully monitored to ensure that it does achieve this objective; and if it does not, it should be promptly changed.

Recommendation—That the ACT government permit the use of fireworks on just three occasions: for cultural events such as Chinese New Year; for public displays such as ‘Skyfire’; and for pre-arranged community events during the three-day period over the June long weekend.

3.25. Permits should be required for all three occasions and the permits should be strictly enforced.

3.26. The committee considers that persons wishing to organise fireworks events during the June long weekend must seek approval from WorkCover at least two weeks before the weekend. Those seeking permits should be required to state the location and evening of the event. WorkCover should ensure that appropriate notification is given to the police and the fire brigade. A condition of approval should be that adjacent neighbours are notified at least a week before the event.

Recommendation— That persons wishing to organise fireworks events during the June long weekend should be required to obtain WorkCover’s approval at least two weeks before the weekend. They should be required to state the location and evening of the event. A condition of approval should be that adjacent neighbours are notified at least a week before the event.

3.27. Some Canberra residents who enjoy the community get-togethers traditionally associated with fireworks expressed approval of instituting appropriate courses to ensure those purchasing and using fireworks are fully aware of the safety and operational aspects of such use. The committee considers that it is prudent to require those members of the public seeking a permit to use fireworks during the three-day period to display competence in basic fireworks technology, use and safety. This might involve up to a half-day course after which they would be eligible to obtain a permit to purchase and use fireworks. The cost of the permit should be small, so as not to discourage community involvement; and it should be recognised that the purpose of the permit is as much to make people aware of their responsibilities as it is to inform them about fireworks safety and operation.

Recommendation—That persons wishing to obtain a permit to purchase and use fireworks during the three-day period be required to have prior training or demonstrated competence in basic fireworks technology, use and safety.

3.28. The committee considers that fireworks retailers should be required as part of their licensing to have staff who are trained/accredited in the correct use and performance of fireworks items sold. Only a relatively small administrative fee should be required to obtain a retail licence.

Recommendation— That fireworks retailers should be required as part of their licensing to have staff who are trained/accredited in the correct use and performance of fireworks items sold; and that only a relatively small administrative fee should be required to obtain a retailer's licence.

3.29. The committee considers that the availability of fireworks year round causes serious concern to some community organisations and citizens, especially in relation to noise problems and the impact on animals. Also, it is possible for a retail outlet to serve as a front for the mail order and illegal trade of fireworks. The committee considers that stocks of fireworks should not be held in retail outlets except for the purpose of satisfying orders for purchase of fireworks for the three day long weekend.

Recommendation—The committee recommends that fireworks sales for the June long weekend should be undertaken through prior ordering by pre-approved persons only, with pick up of orders to only occur during the three-day period. Stocks of fireworks should only be held in retail outlets to accommodate the pickup of orders.

3.30. All fireworks, whether intended for use in cultural events, displays or during the June long weekend, should be stored properly in secure premises meeting all relevant safety criteria.

3.31. The committee was disturbed by evidence of illegal storage of fireworks. The committee was made aware of the serious liability and insurance issues that are raised for businesses located in the same building complex in which fireworks are stored. Also, the committee was disturbed by evidence of illegal sale of fireworks. The committee considers that the penalties for possessing, selling and displaying illegal fireworks should be significantly increased and that the police should be able to impose on-the-spot fines for breaches of the law in this regard.

Recommendation—That the ACT government introduce a provision in the fireworks legislation to enable the police to impose on-the-spot fines for people and organisations possessing, selling and displaying illegal fireworks. The committee suggests that the scale of the fine should be set at an appropriately high level, at least as high as those recently announced by the NSW Government (\$1,100 for individuals, and, in the case of commercial operators, \$5,500 for each offence).

3.32. The committee is aware that its recommendation to permit fireworks to be purchased and used for community events during the June long weekend will not please all in our community and that difficult issues are raised by this recommendation. It is incumbent upon the government to closely monitor the performance of the new regulatory regime outlined in this report and advise the Assembly (and the public) of how it is going. If the evidence shows that the limited retail selling period causes greater problems than benefits, then the legislation should be amended and all retail sales to the public should be banned. The committee considers that the new arrangements should be evaluated each year.

Recommendation—That the government monitor the operation of the new regulatory regime recommended by the committee and especially of fireworks activities over the June long weekend. A report on the efficacy of the new arrangements should be presented to the Assembly during the Spring Sitzings for the next two years.

3.33. The committee was disturbed to learn that fireworks retailers are able to certify their own goods as meeting all relevant Standards and requirements. The committee considers that *both the supplier and the regulator* should test all fireworks for compliance and approval. In the latter regard, the ACT should accept certification by the regulator of another state if it meets all relevant Standards. The committee considers that testing by the regulator should cover not only the nature of the firework but also whether imported fireworks satisfy all environmental requirements (such as being free of dirt or not containing any harmful organisms).

Recommendation—That all fireworks be tested for compliance and approval by (a) the supplier conducting batch testing on the proposed fireworks with the test outlined in the Standard, and the tests being fully documented; and (b) the regulator either to be present at the testing or to conduct its own test audit for final approval (including of environmental requirements).

Any other related matter

Allegations linking those selling fireworks to outlaw bikie gangs

3.34. The committee was not provided with evidence linking any current fireworks sellers in the ACT to ‘outlaw bikie gangs’ or to ‘illicit drug trade’ or to violent incidents in Australian states. The committee is disturbed by newspaper headlines such as ‘Bikie assassination link’ in the local newspaper.¹ The committee appreciates how such unsubstantiated claims could adversely affect the individuals (and their families) engaged in the lawful trade in fireworks.

The storage of fireworks by WorkCover

3.35. Following concern expressed by some submitters and witnesses, the committee questioned WorkCover about the safety of its fireworks storage facilities. Also, the committee obtained from WorkCover the criteria for safety of a fireworks storage depot.

3.36. WorkCover assured the committee that its fireworks depot ‘is properly constructed as required by the law, and more than meets the requirements of the law in terms of the separation distance of it from anything else’.² The committee understands that it might be possible for the storage depot to meet ACT regulations while still not complying with Australian Standard 2187.1 in that the magazines may

¹ *Sunday Canberra Times*, 24 March 2002.

² Ms Plovits, transcript of public hearing on 7 June 2002.

not be clearly marked externally, may not have holding-down bolts, may not have a shade roof over each magazine, may not have special locking systems on the magazines, may not have weather shields above the doors, may not have insulation between the timber lining and the container, may not have mounding around the magazines, and may not meet the safety distance requirements for storing Hazard Class 1.3G fireworks (which require the distance between storage units to be 61m, the distance to protected works to be 273m and the distance to process buildings to be 138m).

3.37. The committee has not inspected the WorkCover storage depot and is not in a position to check the accuracy of these claims. However, the committee considers that it is imperative for an independent review to be conducted of the current storage facilities.

Recommendation—That the government institute an urgent review, by an appropriate and independent body, of WorkCover’s fireworks storage facility(ies) to ensure they meet all relevant Australian and International Standards.

The role of WorkCover

3.38. The committee considers that sufficient evidence was presented to it during the inquiry to justify a review of the role of WorkCover in regulating the fireworks industry. This could most conveniently take place at the same time as the review of the current legislation and associated regulations.

Recommendation—That the government, in conjunction with the review and redraft of the Dangerous Goods Act and subordinate legislation, review the role of WorkCover in relation to the regulation of fireworks.

Appreciation

3.39. The committee extends its appreciation to all those who participated in the inquiry.

Bill Stefaniak MLA
Chair

APPENDIX: LIST OF SUBMITTERS

Sub. No.	Name	State
1.	Robert and Lene Martens	ACT
2.	Carol Bellenger	ACT
3.	Mrs Slyvia Cooper	QLD
4.	Jane Martin	ACT
5.	Mel Martin	ACT
6.	Robyn Soxsmith	ACT
7.	Alex Kucharska	ACT
8.	Angie Stephenson	NSW
9.	Deidre Shaw	ACT
10.	Don Walker (Event Director, Summernats)	ACT
11.	Mariana Brant	ACT
12.	Barbara Reardon	ACT
13.	Miss Davey (Chair, North Canberra Community Council)	ACT
14.	Mrs J Aleenby-Acina	NSW
15.	Lynette Gosper	ACT
16.	Mrs Elizabeth Laski	ACT
17.	Heather Browning	ACT
18.	Barbara Shands	NSW
19.	Brendan Littlejohn	ACT
20.	Lara McKinstry	NSW
21.	Mrs Ward	ACT
22.	Y Sliwka	ACT
23.	Tony Free	ACT
24.	Jessica Rose	ACT
25.	Elli Reeve	ACT
26.	Miss Joan Berry	ACT
27.	(Professor) R Spear	ACT
28.	Martin Brady (Managing Director, Fireworks Australia)	ACT
29.	Simone Gray (President, Animal Liberation)	ACT
30.	Brent Martell	NSW
31.	Peter Grullemans	NSW
32.	Holly Moore	NSW
33.	Barry Bollinger	NSW
34.	Kristy Wyer	NSW
35.	Mr & Mrs Robinson	NSW
36.	Selina Vrsaljko	NSW
37.	Mr Corey Mondello	USA
38.	Su Davidson	NSW
39.	Mrs Gerda van der Moolen	ACT
40.	Debbie Edwards	VIC
41.	Shelley Roberts	NSW
42.	Ms Nizza Siano	NSW

Standing Committee on Legal Affairs

43.	Ingrid Mason	NSW
44.	Susan Cilia	NSW
45.	S Nakata(President, World Assoc for Voice of Animals)	NSW
46.	Anne Keogh	NSW
47.	Emily Johns	NSW
48.	Frank Podrug	WA
49.	Sue Watson	NSW
50.	April Miller	WA
51.	Danielle Archer	NSW
52.	Carole Batterham	ACT
53.	Maureen Isaacs	ACT
54.	Annette Basile	NSW
55.	Mrs Diann McClelland	NSW
56.	Melinda Kara	NSW
57.	Toni Irenyi–Brunner	VIC
58.	Meghan Hopper	VIC
59.	Maria Pittman	NSW
60.	Helena Harrington	VIC
61.	Collette Thorpe	SA
62.	Sally Healy	QLD
63.	Sylvia Raye	NSW
64.	Steffen Lai	NSW
65.	Wideke Bijleveld	Netherlands
66.	Tracie Starkey	ACT
67.	Karen Budnick	ACT
68.	Victoria Mielewska	NSW
69.	N Alderson	ACT
70.	Simone Izzard	NSW
71.	Sarah McNabb	QLD
72.	Tony Clunies–Ross	QLD
73.	Susannah McLennan	NSW
74.	Julie Etherington	QLD
75.	Wendy Clarke	NSW
76.	Lucy Gomez	USA
77.	Campbell Cole	VIC
78.	Tania and Heath Murry	QLD
79.	Naomi and Michael Mairou	QLD
80.	Ms Vivien Nicmanis	NSW
81.	Maureen Gale	NSW
82.	Pam and Sylvia Ahern	VIC
83.	N Penn	NSW
84.	Chin Wong (President, ACT Chinese Australian Assoc)	ACT
85.	Collette Thorpe	SA
86.	Reg Gavin (The Crackerman)	ACT
87.	Susy Alger	VIC
88.	Rob Williams	NSW
89.	Marie-Louise Catsalis	NSW

Standing Committee on Legal Affairs

90.	Lisa Curtin	ACT
91.	Bernadette Wilson	ACT
92.	Rae Carson	ACT
93.	Matthew Kilderry	VIC
94.	Simon Tadd (Executive Officer, RSPCA (ACT) Inc), with attachments	ACT
95.	Julia Richards (Convenor, Aust Conservation Foundation, Canberra Branch)	ACT
96.	Adele Doust	ACT
97.	Mr & Mrs D Ashurst	ACT
98.	Bronwen Ashurst & Paul Schrooder	ACT
99.	Scott Kristiansen	ACT
100.	Lillian Sergi, with attachment	NSW
101.	Laurie Dellevergin (Director, South Haven Caravan Pk)	NSW
102.	D Trail	ACT
103.	T Freeman, E Freeman & N Freeman	ACT
104.	Ron Rapley (Technical Director, Black Cat Fireworks)	UK
105.	Jennie George MP (Member for Throsby), with attachments	NSW
106.	Mr Stephen Smola	VIC
107.	Lilian Widmeier	ACT
108.	Ms Kate Makila, with attachments	NSW
109.	Christine Ericksson	VIC
110.	G E Atkinson	QLD
111.	Tim Morath	ACT
112.	John Doherty	NSW
113.	Janice Kelly	NSW
114.	Peter Kemp	NSW
115.	Lyn Virgin	SA
116.	Luke Batchelor	TAS
117.	Robert Jaksic	VIC
118.	David May	QLD
119.	Brian Burgess	NSW
120.	Alan Bell	NSW
121.	Russell Fenson	NSW
122.	Rob Hoerger	NSW
123.	Kevin Corneliusen	NSW
124.	William Leahy	VIC
125.	Michael Moroney	NSW
126.	William Kelly	NSW
127.	Mr D Parsons	NSW
128.	Greg Allen	NSW
129.	Mardi Bycroft	VIC
130.	Sandra Green	NSW
131.	G Seminara	ACT
132.	Paul Taylor	NSW
133.	Mr Stephen Elsmore	NSW
134.	John Coombe	NSW

Standing Committee on Legal Affairs

135.	Peter Ray	VIC
136.	G Smith	NSW
137.	Rebecca Newman	ACT
138.	P Delaney	NSW
139.	P Cartolano	ACT
140.	Robert Sortino	VIC
141.	C Kaltenthaler	ACT
142.	Kevin & Milusa Giles	VIC
143.	June Pittman	NSW
144.	Don Riddle	NSW
145.	R McCormick	NSW
146.	L Pagano	NSW
147.	Sherryn Cartledge	VIC
148.	Andrew Jacobs	VIC
149.	Graeme Richardson	NSW
150.	Paul Wilson	NSW
151.	Timothy Philipson	NSW
152.	Robert Nixon	QLD
153.	Michael Wheeler	NSW
154.	Mr & Mrs Mills	NSW
155.	Adrian Arnaudon	NSW
156.	Eddie Cejvan	VIC
157.	Leonie Heffernan	ACT
158.	David Smith	NSW
159.	Pamela Ayson (ACT President, National Federation of Independent Business Inc)	ACT
160.	Sally Bednall	NSW
161.	Nick Srbinovski	NSW
162.	Mrs Leanne Busby	NSW
163.	James Alderton	NSW
164.	Garry Quick	NSW
165.	Greg Pearce	NSW
166.	Valentina Smirnios	NSW
167.	K Secombe	NSW
168.	Colin Webb	NSW
169.	Louis Chahing	NSW
170.	Renzo Fornasari	NSW
171.	Julie Osbourne	VIC
172.	Michael Minter	ACT
173.	Ken Mitchell (Chief Executive Officer, Australian Marketing Research Services)	ACT
174.	ACT WorkCover (Office of the Occupational Health and Safety Commissioner)	ACT
175	Luke Kendall, with attached petition of 24 signatories	NSW
176	Ian Sercombe	NSW
177	Robert Cottrell	NSW
178	The Hanson Family	NSW
179	Shane Schmidt	ACT

Standing Committee on Legal Affairs

180	Jeff & Susie Allen	VIC
181	Steven Brown	NSW
182	L Bradic	NSW
183	Nicloe Braust	NSW
184	P Steele	VIC
185	G Naydre	SA
186	Justin Retallick	VIC
187	Sandra Howden	NSW
188	Amanda Gosper	NSW
189	Neil Spence	NSW
190	Andrew Holstein	NSW
191	Nathan Stewart	ACT
192	Wayne Orr	VIC
193	M Odey	VIC
194	Grant Shillingford	SA
195	Glen French	NSW
196	Peter Coco	NSW
197	Keith Morley	NSW
198	Kevin Beanham	VIC
199	N Lucas	NSW
200	Chris Stagg	VIC
201	Andrew Larter	NSW
202	G May	NSW
203	Fabion Buttigiog	VIC
204	Stephen Dukes	NSW
205	Scott Franks	NSW
206	Cheryl Prendergast	VIC
207	D Prendergast	VIC
208	Stephen Turner	NSW
209	Stanley Carroll	ACT
210	Nick Ryno	VIC
211	Gary Johnson	NSW
212	Wayne Head	NSW
213	Karen Young	NSW
214	G McGregor-Edwards	NSW
215	Tony Lorisso	NSW
216	Tom Ryan	NSW
217	Angus Chirnside	NSW
218	Peter Virgin	SA
219	John Campbell	VIC
220	Roger Burrows	VIC
221	John Davey (Public Affairs Officer, ACT Fireworks Association) —27 April 2002, not authorised for publication —14 May 2002, authorised for publication with one part-phrase deleted	ACT
222	Margaret Dempster	ACT

Standing Committee on Legal Affairs

223	Ray Schofield (Red-Back Fireworks P/L), not authorised for publication	ACT
224	Tony Southwell (Fireworks King, ACT, P/L), not authorised for publication	ACT
225	Nigel Worthley, not authorised for publication	ACT
226	Harold Upton (Australasian Spectaculars), not authorised for publication	ACT
227	Confidential (at author's request)	
228	Garry Mayo	ACT
229	Andrew Hewat	ACT
230	Greg Robinson (President, ACT High School Principal's Association)	ACT