

South Australia

Explosives (Fees) Regulations 2018

under the *Explosives Act 1936*

Contents

1 Short title

2 Commencement

Schedule 1—Fees under *Explosives Act 1936*

Part 1—Preliminary

1 Interpretation

2 Waiver of fees

Part 2—Fees relating to *Explosives Regulations 2011*

3 Fees relating to *Explosives Regulations 2011*

Part 3—Fees relating to *Explosives (Fireworks) Regulations 2016*

4 Fees relating to *Explosives (Fireworks) Regulations 2016*

Part 4—Fees relating to *Explosives (Security Sensitive Substances) Regulations 2006*

5 Fees relating to *Explosives (Security Sensitive Substances) Regulations 2006*

Schedule 2—Related variations

Part 1—Preliminary

1 Variation provisions

Part 2—Variation of *Explosives Regulations 2011*

2 Variation of regulation 1.05—Interpretation

3 Variation of regulation 7.20—Removal of explosives from Government magazine

4 Variation of regulation 10.03—Occupier of premises to make licence application

5 Variation of regulation 14A.03—Grant or renewal of licence

6 Revocation of regulation 15.09

7 Revocation of Schedule V

Part 3—Variation of *Explosives (Fireworks) Regulations 2016*

8 Variation of regulation 3—Interpretation

9 Variation of regulation 34—Applications

10 Revocation of regulation 36

11 Revocation of Schedule 3

Part 4—Variation of *Explosives (Security Sensitive Substances) Regulations 2006*

- 12 Variation of regulation 3—Interpretation
- 13 Variation of regulation 27—Applications
- 14 Revocation of regulation 35
- 15 Revocation of Schedule 1

Legislative history

1—Short title

These regulations may be cited as the *Explosives (Fees) Regulations 2018*.

2—Commencement

These regulations will come into operation on 1 July 2018.

Schedule 1—Fees under *Explosives Act 1936*

Part 1—Preliminary

1—Interpretation

- (1) In this Schedule, unless the contrary intention appears—
Act means the *Explosives Act 1936*.
- (2) For the purposes of this Schedule, unless the contrary intention appears—
 - (a) subject to paragraph (b), words and expressions used in this Schedule have the same respective meanings as in the Act; and
 - (b) a word or expression used under a heading that refers to specified regulations has the same meaning as in the regulations so specified.

2—Waiver of fees

The Director may waive a fee or particular class of fee referred to in this Schedule (or part of such a fee or class of fee) if the Director considers it appropriate to do so.

Example—

If an applicant for the grant or renewal of a licence or permit holds an authorisation under the law of another State or a Territory of the Commonwealth authorising activities that are substantially the same as those sought to be authorised by the licence or permit (whether or not this result is achieved by means of the imposition of conditions), the Director may waive the application fee or part of the application fee.

Part 2—Fees relating to *Explosives Regulations 2011*

3—Fees relating to *Explosives Regulations 2011*

- (1) Subject to subclause (2), the following fees are payable for the purposes of the Act and the *Explosives Regulations 2011*:

1—Classification of explosives (Part 2)

Fee for—

(a) application for classification of explosive	\$181.00
(b) amendment of classification of explosive	\$103.00
2—Licensing of factories (Part 3)	
Licence fee for a factory to manufacture explosives	\$332.00
3—Licence to mix and use Ammonium Nitrate mixture (Part 4)	
Licence to mix and use Ammonium Nitrate mixture of Classification Code 1.1D—	
(a) for 1 place only	\$61.50
(b) for more than 1 place	\$154.00
4—Licence to carry explosives (Part 7)	
Licence fee for a carrier to carry—	
(a) up to 60 kg of explosives	\$38.50
(b) up to 265 kg of explosives	\$61.50
(c) up to 1 000 kg of explosives	\$66.50
(d) over 1 000 kg of explosives	\$194.00
5—Licence to store on premises (Part 10)	
Licence fee for storing explosives on premises in which the quantity of explosives to be stored—	
(a) does not exceed 30 kg	\$61.50
(b) exceeds 30 kg but does not exceed 60 kg	\$111.00
6—Licensing of magazines (Part 11)	
(1) Licence fee for portable magazine in which the quantity of explosive to be stored—	
(a) does not exceed 60 kg	\$133.00
(b) exceeds 60 kg but does not exceed 1 000 kg	\$389.00
(c) exceeds 1 000 kg	\$676.00
(2) Licence fee for any other magazine in which the quantity of explosive to be stored—	
(a) does not exceed 1 000 kg	\$194.00
(b) exceeds 1 000 kg	\$336.00
7—Licence to import explosives (Part 13)	
Licence fee to import explosives—	
(a) of classification code 1.2G, 1.3G, 1.4G or 1.4S	\$66.50
(b) of another classification code	\$111.00
8—Inspection or testing of explosives	
Fee for—	
(a) examination of fuse	\$40.25
(b) examination of detonator	\$40.25
(c) physical examination of firework or firework composition	\$40.25

(d) liquefaction test	\$40.25
(e) exudation test	\$40.25
(f) heat test	\$40.25

9—Blaster's licence (Part 14A)

Fee for application for blaster's licence	\$74.50
Fee for application for renewal of blaster's licence	\$74.50

- (2) Departments and instrumentalities of the South Australian Government are exempt from the payment of fees specified in subclause (1).

Part 3—Fees relating to *Explosives (Fireworks) Regulations 2016*

4—Fees relating to *Explosives (Fireworks) Regulations 2016*

The following fees are payable for the purposes of the Act and the *Explosives (Fireworks) Regulations 2016*:

Applications under regulation 34—

(a) for grant or renewal of a pyrotechnician's licence (Part 3 Division 1)	\$244.00
(b) for grant or renewal of a pyrotechnic displays business licence (Part 3 Division 2)	\$164.00
(c) for grant of an exempt display permit (Part 3 Division 3)	\$32.50
(d) for grant or renewal of a pyrotechnic sales business licence (Part 4)	\$164.00

Part 4—Fees relating to *Explosives (Security Sensitive Substances) Regulations 2006*

5—Fees relating to *Explosives (Security Sensitive Substances) Regulations 2006*

- (1) Subject to subclause (2), the following fees are payable for the purposes of the Act and the *Explosives (Security Sensitive Substances) Regulations 2006*:

Applications under regulation 27—

(a) for grant or renewal of a licence or permit (regardless of the number of licences or permits to be granted to the applicant, or held by the applicant to be renewed, at the same time)	\$64.00
(b) for variation of a licence or permit	\$64.00

- (2) If a licence or permit is to be granted or renewed for a period that is less than or more than 36 months, a pro rata adjustment is to be made to the amount of the fee by applying the proportion that the length of the licence or permit period in months bears to 36 months.

Schedule 2—Related variations

Part 1—Preliminary

1—Variation provisions

In this Schedule, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Explosives Regulations 2011*

2—Variation of regulation 1.05—Interpretation

Regulation 1.05, definition of *prescribed*—delete the definition and substitute:

prescribed fee means the fee prescribed by regulation under the Act;

3—Variation of regulation 7.20—Removal of explosives from Government magazine

Regulation 7.20(b)—delete "charge" and substitute:

fee

4—Variation of regulation 10.03—Occupier of premises to make licence application

Regulation 10.03—delete "licence fee" and substitute:

fee

5—Variation of regulation 14A.03—Grant or renewal of licence

Regulation 14A.03(3)(c)—delete "relevant" and substitute:

prescribed

6—Revocation of regulation 15.09

Regulation 15.09—delete the regulation

7—Revocation of Schedule V

Schedule V—delete the Schedule

Part 3—Variation of *Explosives (Fireworks) Regulations 2016*

8—Variation of regulation 3—Interpretation

Regulation 3, after the definition of *licence*—insert:

prescribed fee means the fee prescribed by regulation under the Act;

9—Variation of regulation 34—Applications

Regulation 34(1)—after paragraph (b) insert:

and

(c) be accompanied by the prescribed fee (if any).

10—Revocation of regulation 36

Regulation 36—delete the regulation

11—Revocation of Schedule 3

Schedule 3—delete the Schedule

Part 4—Variation of *Explosives (Security Sensitive Substances) Regulations 2006*

12—Variation of regulation 3—Interpretation

Regulation 3(1), after the definition of *plant*—insert:

prescribed fee means the fee prescribed by regulation under the Act;

13—Variation of regulation 27—Applications

Regulation 27(1)(g)—delete "fee fixed by these regulations" and substitute:

prescribed fee

14—Revocation of regulation 35

Regulation 35—delete the regulation

15—Revocation of Schedule 1

Schedule 1—delete the Schedule

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations

Year	No	Reference	Commencement
2018	148	<i>Gazette 21.6.2018 p2404</i>	1.7.2018: r 2