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CABINET DECISION

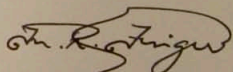
NO. 2130

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Submission No.: 1800  
Title: FIREWORKS

Cabinet approved that :-

- a) fireworks be banned for public sale and general public firing except on 1 July;
- b) the Chief Inspector of Explosives be empowered to specifically approve or not approve which type of firework is for sale based on examination from a safety point of view;
- c) fireworks of an illuminating nature be favoured in lieu of those of an explosive nature; and
- d) permits for firework displays on special occasions under supervisory conditions, be subject to the discretion of the Chief Inspector of Explosives.



(M.R. KINGER),  
Secretary to Cabinet.  
28 January, 1982.

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THE NORTHERN TERRITORY OF AUSTRALIA

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Copy No. ....1.....

FOR CABINET

SUBMISSION No. ....1800.....

Title:	FIREWORKS
Cabinet Member	The Hon. Ian Tuxworth, M.L.A., Minister for Mines and Energy.
Purpose:	To ensure public safety with respect to fireworks, and to reduce their nuisance effect on the community.
Relation to existing policy:	Consistent with the policy of providing protection to the public.
Timing/legislative priority:	Important. No legislation required.
Announcement of decision, tabling, etc.:	Public announcement following Cabinet approval. Press Release attached.
Action required before announcement:	N/A
Staffing implications, numbers and costs, etc.:	Nil
Total cost:	Nil

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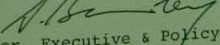
Department/Authority .....LAW.....

COMMENT ON CABINET SUBMISSION No.

TITLE: FIREWORKS

COMMENTS:

There appear to be no legal or constitutional barriers to the proposal.

SIGNED: S.R.Bailey   
DESIGNATION: Director, Executive & Policy Unit for Solicitor-General  
DATE: 13 January, 1982. CONFIDENTIAL

THE ISSUE

1. To decide if fireworks should be available for sale to the public, and,
2. If fireworks are to be available to the public, what day is to be proclaimed as the day of public firing.

BACKGROUND

3. The Territory has had fireworks on sale to the public for many years. These have been limited to the amusement type and small crackers.
4. Of the other Australian States (including the A.C.T.) four do not allow fireworks to be sold to the public while three do. Attachment B lists what the States do in relation to fireworks.
5. In the Northern Territory fireworks are on sale for three days including fireworks day. Sale is restricted to persons over the age of 13 years.

6. The letting off of fireworks in the Northern Territory is restricted to the hours between 7pm and 10pm.

7. For the past two years the Northern Territory has had two dates for the letting off of fireworks: 1 July to celebrate Self Government Day and 5 November the traditional fireworks day, which celebrates the unsuccessful attempt of Guy Fawkes to blow up the British Parliament in 1605.

#### CONSIDERATION OF THE ISSUE

8. Many complaints are received by the Police, Fire Brigade and the Department of Mines and Energy regarding the use of fireworks outside of the designated hours. Noise and hooliganism are the main complaints.

9. Many people consider that children should not be deprived of the pleasure of letting off their own fireworks. This has to be balanced against damage caused by fireworks, particularly injury to children.

10. On 1 July there were five children treated for firework-related injuries at Casuarina Hospital.



No injuries were reported at other centres throughout the Northern Territory.

11. On 5 November twelve children and one adult were treated at Casuarina Hospital. No other injuries were reported at other centres.

12. Public displays of fireworks give families the opportunity to see top class fireworks at reasonable cost. These displays are under controlled conditions with pyrotechnics experts in charge. The safety of people is greatly enhanced by this method.

13. Public displays can be held at most times of the year under these conditions. Holders of displays can be encouraged to hold them on a specific date (eg 1 July).

14. A recommended date is 1 July being Self-Government Day. 5 November is no longer appropriate for the Northern Territory. The States celebrate a variety of days (see attachment B).

OPTIONS

15. The options available are:-

- (a) Do nothing.
- (b) Restrict the sale of fireworks to amusement types by banning crackers.
- (c) Ban all public sales of fireworks, but allow public displays of fireworks.

16. The first alternative would do nothing to reduce injuries and complaints.

17. The second alternative of banning crackers would reduce the complaints of noise and hooliganism and should have some effect on the injury rate, but the potential for injury would still exist.

18. The third alternative would not only remove a nuisance but would remove virtually all chance of injury. This alternative is the one recommended.

LEGISLATION

19. Legislation already exists to cover this situation. Under Section 32 of the Explosives Act the Minister for Mines and Energy has the power to declare when fireworks can be sold to the public and when they can be fired by the public. Without this declaration it would be illegal to sell fireworks or for the public to let them off.

20. Firework displays do not require Ministerial approval but are controlled by permits issued by the Chief Inspector of Explosives. The permits are not restricted to the public firing dates of 1 July or 5 November.

PUBLIC IMPACT

21. It is expected this proposal will meet with general public acceptance.

22. There may be some resistance from shopkeepers who have stocks left over from this year. The quantity, however, is estimated to be small.



FINANCIAL AND EMPLOYMENT CONSIDERATIONS

23. There are no financial and employment considerations to be taken into account.

TIMING


24. This matter should be decided as soon as possible so that shopkeepers can make appropriate arrangements.

RECOMMENDATION

25. That Cabinet approve that fireworks be banned for general public sale and public firing.

26. That the date of 1 July be recommended to organisations for the holding of public displays.

1-1-82  
DATE

  
IAN TUXWORTH

DRAFT:

PRESS RELEASEFIREWORKS

The Minister for Mines and Energy, the Hon. Mr. Ian Tuxworth, announced today that Cabinet has decided to ban the public sale of fireworks and the firing of fireworks by the public.

Mr. Tuxworth said that there had been increasing reports of hooliganism and misuse of fireworks, particularly in Darwin. Additionally, the number of children hurt by fireworks is also increasing. Twelve children were treated at the Casuarina Hospital on 5 November for such injuries.

"It appears to be only a matter of time before a serious accident occurs that will maim or kill a person", stated the Minister.

Controlled public displays of fireworks will still be allowed. The Government will be encouraging displays on 1 July to celebrate Self Government Day. These displays will give families the opportunity to see top class fireworks at a reasonable cost, while still ensuring public safety.

The Government considers that the celebrating of Guy Fawkes Day, a commemoration of an attempt to blow up the British Parliament in 1605, is not appropriate to Territorians.

	Sale to the the Public	Duration of of sale period.	Date of Public Firing.
Queensland	No	-	-
Victoria	No	-	-
South Australia	No	-	-
W. Australia	No	-	-
New Sth Wales	Yes	14 Days	Queens B/Day
A.C.T.	Yes*	14 Days	Queens B/Day
Tasmania	Yes*	14 Days	24 May

\* Under review.