

Australian Capital Territory

Dangerous Substances (Fireworks Default Classification Criteria) Determination 2004 (No 1)

Disallowable Instrument DI2004-89

made under the

**Dangerous Substances (Explosives) Regulations 2004,
Subregulation 14(3) (Default Classification of Explosives)**

1 Name of Instrument

This instrument is the *Dangerous Substances (Fireworks Default Classification Criteria) Determination 2004 (No 1)*.

2 Commencement

This instrument commences on 4 June 2004.

3 Determination of fireworks default classification criteria

The criteria set out in the schedule are determined.

4 Assignment of a fireworks classification code

Assignment of a fireworks classification code in accordance with the criteria determined in the schedule is subject to the following conditions:

- (1) Where classification information for a firework is not supported by testing carried out on that firework in accordance with the series 6 tests of the UN Manual of Tests and Criteria, the default classification code for the firework will be 1.1G unless it can be otherwise assigned a classification code by the chief executive in accordance with the schedule.
- (2) Where fireworks of more than one hazard division are packed in the same package, they will be classified on the basis of the highest hazard division as provided for in Regulation 10 (Hazard divisions) unless test data derived from Test Series 6 indicate otherwise.
- (3) Where a firework has been assigned a default classification code in accordance with this schedule and the firework is being stored or transported, the default classification is

valid only for articles packed in approved packaging in accordance with the Australian Explosives Code.

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Katy Gallagher MLA
Minister for Industrial Relations
3 June 2004

Schedule: Default fireworks classification criteria

Type	Includes: / Synonym:	Definition	Calibre / Mass	Classification
Shell, spherical or cylindrical	spherical or cylindrical salute shell: report shell	Aerial shell designed to be projected from a mortar by a lift charge and designed to produce a loud report.	all salute shells	1.1G
Shell, spherical or cylindrical	spherical display shell: aerial shell, colour shell, dye shell, multi-break shell, multi-effect shell, nautical shell, parachute shell, smoke shell, star shell; report shell: maroon, salute, sound shell, thunderclap, aerial shell kit	Device with or without propellant charge, with delay fuse and bursting charge, pyrotechnic unit(s) or loose pyrotechnic composition and designed to be projected from a mortar.	colour shell: ≥ 200 mm or ≥ 2100 g pyrotechnic composition	1.1G
			colour shell: < 200 mm or < 2100 g pyrotechnic composition with $> 25\%$ flash composition, as loose powder and/ or report effects	1.1G
			colour shell: < 200 mm or < 2100 g pyrotechnic composition with $\leq 25\%$ flash composition, as loose powder and/ or report effects	1.3G
			colour shell: ≤ 50 mm or ≤ 60 g pyrotechnic composition with $> 2\%$ flash composition as report effects	1.3G
			colour shell: ≤ 50 mm or ≤ 60 g pyrotechnic composition with $\leq 2\%$ flash composition as report effects	1.4G
	cylindrical display shell: aerial shell, colour shell, dye shell, multi-break shell, multi-effect shell, nautical shell, parachute shell, smoke shell, star shell; report shell: maroon, salute, sound shell, thunderclap, aerial shell kit	Device with or without propellant charge, with delay fuse and bursting charge, pyrotechnic unit(s) or loose pyrotechnic composition and designed to be projected from a mortar.	as for spherical shells, longest dimension (height or diameter) determines the calibre	
Shell, spherical or cylindrical	preloaded mortar, shell in mortar	Assembly comprising a spherical or cylindrical shell inside a mortar from which the shell is designed to be projected; for cylindrical shells, the longest dimension (height or diameter)	all report shells	1.1G
			colour shell: ≥ 200 mm	1.1G
			colour shell: ≥ 50 mm and < 200 mm	1.2G

Type	Includes: / Synonym:	Definition	Calibre / Mass	Classification
		determines the calibre.	colour shell: > 30 mm and < 50 mm and/or >2% of flash composition	1.3G
			colour shell: ≤ 30 mm with ≤ 2% flash composition as report effects	1.4G
Shell, spherical or cylindrical (cont.)	shell of shells (spherical) (Reference to percentages for shell of shells are to the gross mass of the fireworks article)	Device without propellant charge, with delay fuse and bursting charge, containing report shells and inert materials and designed to be projected from a mortar.	> 120 mm	1.1G
		Device without propellant charge, with delay fuse and bursting charge, containing report shells ≤ 40 mm and/or report units, with ≤ 33% flash composition and ≥ 60% inert materials and designed to be projected from a mortar.	≤ 120 mm	1.3G
		Device without propellant charge, with delay fuse and bursting charge, containing colour shells and/or pyrotechnic units and designed to be projected from a mortar.	> 300 mm	1.1G
		Device without propellant charge, with delay fuse and bursting charge, containing colour shells ≤ 70mm and/or pyrotechnic units, with ≤ 25% flash composition and ≤ 60% pyrotechnic composition and designed to be projected from a mortar.	≤ 300 mm	1.3G
Combination/batteries	barrage, bombardos, cakes, finale box, flowerbed, hybrid, multiple tubes, shell cakes, banger batteries, flash banger batteries	Assembly including several elements either containing the same type or several types each corresponding to one of the types of fireworks listed in this table, with one or two points of ignition.	the most hazardous firework type determines the classification	

Type	Includes: / Synonym:	Definition	Calibre / Mass	Classification
Roman candles	exhibition candle, candle, bombettes	Tube containing alternate propellant charges, pyrotechnic units and transmitting fuses.	inner diameter of tube \geq 50 mm, containing flash composition	1.1G
			inner diameter of tube \geq 50, containing no flash composition	1.2G
			inner diameter of tube \geq 30 mm and $<$ 50 mm, or containing $>$ 25 g of pyrotechnic composition with $<$ 10 g of flash composition	1.3G
			inner diameter of tube \leq 30 mm and \leq 25 g pyrotechnic composition per tube, and of that \leq 25% flash composition per tube	1.4G
Shot tube	single shot Roman candle	Tube containing a propellant charge and a pyrotechnic unit, with or without a transmitting fuse.	inner diameter of tube \leq 30 mm and \leq 25 g pyrotechnic composition per tube, and of that \leq 25% flash composition per tube	1.4G
Rocket	avalanche rocket, signal rocket, whistling rocket, bottle rocket, sky rocket, missile type rocket, table rocket	Tube containing pyrotechnic composition and/or pyrotechnic units, equipped with stick(s) or other means for stabilization of flight, and designed to be propelled into the air.	flash composition effects only	1.1G
			flash composition $>$ 25% of the pyrotechnic composition	1.1G
			pyrotechnic composition $>$ 20 g per rocket. Total flash composition is $<$ 25% of the pyrotechnic composition	1.3G
			pyrotechnic composition \leq 20 g per rocket and \leq 0.13 g flash composition per report. Total flash composition is $<$ 10% of the total pyrotechnic composition	1.4G

Type	Includes: / Synonym:	Definition	Calibre / Mass	Classification
Rocket without stick(s)	avalanche rocket, signal rocket, whistling rocket, bottle rocket, sky rocket, missile type rocket, table rocket	Tube containing pyrotechnic composition and/or pyrotechnic units, not equipped with stick(s) for stabilisation of flight.	as for rockets	1.1G
				1.3G
				1.4G
Mine	pot-a-feu, ground mine	Tube containing propellant charge and pyrotechnic units and designed to be placed on the ground or to be fixed in the ground. The principal effect is ejection of all the pyrotechnic units in a single burst producing a widely dispersed visual and/or aural effect in the air.	> 25% flash composition, as loose powder and/ or report effects	1.1G
			≥ 200mm and ≤ 25% flash composition, as loose powder and/ or report effects	1.1G
			< 200mm and ≤ 25% flash composition, as loose powder and/ or report effects	1.3G
			≤ 150g pyrotechnic composition, containing ≤ 5% flash composition as report effects. Each report effect < 2g; each whistle, if any, ≤ 3 g	1.4G
	bag mine, cylinder mine	Cloth or paper bag or cloth or paper cylinder containing propellant charge and pyrotechnic units, designed to be placed in a mortar and to function as a mine.	> 25% flash composition, as loose powder and/or report effects	1.1G
			≥ 200mm and ≤ 25% flash composition, as loose powder and/or report effects	1.1G
			< 200mm and ≤ 25% flash composition, as loose powder and/ or report effects	1.3G
	Fountain	volcanos, gerbs, showers, lances, Bengal fire, flitter sparkle, cylindrical fountains, cone fountains, illuminating torch	Non-metallic case containing pressed or consolidated sparks- and flame producing pyrotechnic composition.	≥ 1 kg pyrotechnic composition
< 1 kg pyrotechnic composition				1.4G
Sparklers	handheld sparklers, non-handheld sparklers, wire sparklers	Rigid wire partially coated (along one end) with slow burning pyrotechnic composition with or without an ignition tip.	pyrotechnic composition for each item ≥ 15 g or > 10 items per pack	1.3G
			pyrotechnic composition for each item < 15 g or ≤ 10 items per pack	1.4G

Type	Includes: / Synonym:	Definition	Calibre / Mass	Classification
Bengal sticks	dipped stick	Wooden stick partially coated (along one end) with slow-burning pyrotechnic composition and designed to be held in the hand.	pyrotechnic composition for each item ≥ 100 g, or > 5 g if flash composition is present or > 10 items per pack	1.3 G
			pyrotechnic composition for each item < 100 g, or ≤ 5 g if flash composition is present or ≤ 10 items per pack	1.4G
Low-hazard fireworks and novelties	table bombs, throw downs, crackling granules, smokes, fog, snakes, glow worm, serpents, snaps, party poppers	Device designed to produce very limited visible and/ or audible effect which contains small amounts of pyrotechnic and/ or explosive composition.	throw downs and snaps may contain up to 1.6 mg of silver fulminate; snaps and party poppers may contain up to 16 mg of potassium chlorate/ red phosphorous mixture; other articles may contain up to 5 g of pyrotechnic composition, but no flash composition	1.4G
Spinners	aerial spinners, helicopters, chasers, ground spinners	Non-metallic tube or tubes containing gas- or spark-producing pyrotechnic composition, with or without noise producing composition, with or without aerofoils attached.	pyrotechnic composition for each item > 20 g, containing $\leq 3\%$ flash composition as report effects	1.3G
			pyrotechnic composition for each item ≤ 20 g, containing $\leq 3\%$ flash composition as report effects, or whistle composition ≤ 5 g	1.4G
Wheels	catherine wheels, saxon	Assembly including drivers containing pyrotechnic composition and provided with a means of attaching it to a support so that it can rotate.	≥ 1 kg total pyrotechnic composition, no report effect, each whistle (if any) ≥ 5 g and ≤ 25 g	1.3G
			< 1 kg total pyrotechnic composition, no report effect, each whistle (if any) ≤ 5 g	1.4G

Type	Includes: / Synonym:	Definition	Calibre / Mass	Classification
Aerial wheels	flying Saxon, UFO's, rising crown	Tubes containing propellant charges and sparks-flame- and/ or noise producing pyrotechnic compositions, the tubes being fixed to a supporting ring.	> 200 g total pyrotechnic composition or > 60 g pyrotechnic composition per driver, ≤ 3% flash composition as report effects, each whistle (if any) ≤ 5 g	1.3G
			≤ 200 g total pyrotechnic composition or ≤ 60 g pyrotechnic composition per driver, ≤ 3% flash composition as report effects, each whistle (if any) ≤ 5 g	1.4G
Selection pack	display selection box, display selection pack, garden selection box, indoor selection box	A pack of more than one type each corresponding to one of the types of fireworks listed in this table.	the most hazardous firework type determines the classification	
Cracker	fireracker, celebration cracker, celebration roll, string cracker	Assembly of tubes (paper or cardboard) linked by a pyrotechnic fuse, each tube containing report composition intended to produce an aural effect.	each tube ≤ 45mm in length or with an external diameter ≤ 10mm, each tube may contain not more than 140 mg of report composition.	1.4G

NOTE 1: References to percentages in the Schedule, unless otherwise stated, are to the mass of all pyrotechnic composition (e.g. rocket motors, lifting charge, bursting charge and effect charge).

NOTE 2: "Flash composition" in this Schedule refers to pyrotechnic compositions containing an oxidizing substance and a metal powder fuel that are used to produce an aural report effect or used as a bursting charge in fireworks devices.

NOTE 3: Dimensions in mm refer to –

- for a shell, the greater of the diameter of the shell or the length of the shell;
- for a roman candle, shot tube fireworks or mine, the inside diameter of the tube comprising or containing the pyrotechnic composition; and
- for a bag mine or cylinder mine, the inside diameter of the mortar intended to contain the mine.

NOTE 4: The symbols used in the Schedule mean the following –

- > means greater than;
- ≥ means greater than or equal to;
- < means less than;
- ≤ means less than or equal to.