



Sale of Explosive High Hazard Special Purpose Explosives (Type S.2) Reactive Targets

October 2014

Any person handling explosives must be at least 18 years of age unless exempted by the *Explosives Act* and Regulations.

Section numbers refer to the relevant sections under the *Explosives Regulations, 2013*.

Purchasers of multi-ingredient kits can only be users. Users must hold a fireworks operator certificate – pyrotechnician, or a licence issued under the *Firearms Act*. {section 138(2)(e)}

1. UNLICENSED USERS

Unlicensed users may store up to 20 kg of high hazard special purpose explosives (type S.2), {section 264} including multi ingredient kits (reactive targets), in a storage unit².

2. LICENSED USERS

If storing more than 20 kg of high hazard special purpose explosives, a user requires a magazine licence. The cost of a licence to store high hazard special purpose explosives is \$70 per year.

Storage: High hazard special purpose explosives, including multi ingredient kits (exploding targets), must be stored in a licensed magazine. The storage licence magazines must meet the requirements for a storage unit². Multi ingredient kits must be mixed at the place of **use** {section 138(2)} and once mixed they cannot be transported or stored.

The following term and condition will be added to the licence:

- The storage of mixed ingredients from multi ingredient kits for type S.2 (e.g. exploding targets) and F.3 explosives is not permitted.

3. UNLICENSED RETAIL SALES

Unlicensed sales of high hazard special purpose explosives (type S.2) are not permitted. Multi ingredient kits (including exploding targets) are classified as high hazard special purpose explosives. Sales can only occur if the seller has a magazine licence.

4. LICENSED RETAIL SALES

The sale of any quantity of high hazard special purpose explosives must be from a sales establishment¹ and requires a magazine licence. The licence cost for a retailer is \$140 per year. A retailer can only sell to **users** {section 260}. Users must hold a fireworks operator certificate - pyrotechnician, or a licence issued under the *Firearms Act*. {section 138(2)(e)}

Display: High hazard special purpose explosives must not be displayed for sale {section 258}.

Storage: High hazard special purpose explosives, including multi ingredient kits (exploding targets), must be stored in a magazine. Since it is not an industrial explosive (detonators, blasting explosives, etc.) as defined in Part 11, then the type of magazine that can be used will essentially be as what is proposed by the applicant. The minimum requirements will be similar to what is expected for an unlicensed storage unit². It would be expected that multi ingredient kits be segregated from small arms cartridges if stored in the same storage unit or compartment. Multi ingredient kits must be mixed at the place of **use** {section 138(2)(b)} and once mixed they cannot be transported or stored.

The following term and condition will be added to the licence:

- The storage of mixed ingredients from multi ingredient kits for type S.2 (e.g. reactive targets) and F.3 explosives is not permitted.

Records: A record must be kept of every sale of high hazard special purpose explosives {section 261}.

5. LICENSED DISTRIBUTOR

If intending to sell to other retailers and distributors, a distributor licence is required. A distributor can also sell to users. The cost of a distributor licence is \$350 per year. The display, storage and records requirements for a distributor are the same as for a retail sales licence.

6. USE OF MULTI INGREDIENT KITS (reactive targets)

Multi ingredient kits must be mixed at the place of use {section 138(2)(b)} and once mixed they cannot be transported or stored. Users must hold a fireworks operator certificate - pyrotechnician, or a licence issued under the *Firearms Act*. {section 138(2)(e)}

7. TRANSPORT

A multi-ingredient kit is classified for transport as "not class 1". Their transport can be done as per the transport classification provided by the consignor (the manufacturer of the kit). Once mixed at the place of use, reactive targets shall not be subsequently transported on public roads.

8. DEFINITIONS

¹ Sales Establishment:

Explosives are stored in a sales establishment if they are: {section 239(2)}

- (a) inside the sales establishment, whether or not they are in a storage unit or displayed for sale;
- (b) outside the sales establishment in a storage unit that is used in operating the establishment; or
- (c) in a licensed magazine that is either inside or outside the establishment.

² A Storage Unit:

A storage unit means a building, structure, place or container in which explosives are stored and that is not licensed. However, it does not include a dwelling or any structure, place or container in a dwelling.

A storage unit must meet the following requirements: {section 254(2)}

- (a) the storage unit must be located in a dry place, away from flammable substances and sources of ignition;
- (b) the storage unit must be constructed and maintained to prevent unauthorized access and to protect the contents from weather;

- (c) if the storage unit is a container, it must not impede exit in case of fire;
- (d) if the storage unit is not a container, all exits must be unobstructed;
- (e) any shelving in the storage unit must be constructed from a non-sparking material (for example, wood or painted metal);
- (f) nothing other than special purpose explosives may be stored in the storage unit;
- (g) the storage unit must be attended when it is unlocked;
- (h) the storage unit must be kept clean, dry, organized and free of grit;
- (i) any spill, leakage or other contamination in the storage unit must be cleaned up immediately;
- (j) precautions that minimize the likelihood of fire in or near the storage unit must be taken; and
- (k) a sign that displays the words "Danger — Fire Hazard/Risque d'incendie" in letters at least 10 cm high and that prohibits smoking using letters, or a symbol, at least 10 cm high must be posted on the storage unit in a clearly visible location.