



Queensland

*COVID-19 Emergency Response Act 2020*  
*Explosives Act 1999*

# **Explosives Legislation (COVID-19 Emergency Response) Regulation 2020**

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Queensland

# Explosives Legislation (COVID-19 Emergency Response) Regulation 2020

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# Explosives Legislation (COVID-19 Emergency Response) Regulation 2020

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Explosives Legislation (COVID-19 Emergency Response) Regulation 2020*.

### 2 Declaration

It is declared that this regulation is made under the *COVID-19 Emergency Response Act 2020*, sections 8 and 13.

## Part 2 Modification of Explosives Act 1999

### 3 Modification of the Explosives Act 1999, s 19 (Term of authority)

- (1) This section applies in relation to a fireworks contractor licence or fireworks operator licence (each an *affected licence*) that, but for this section, would have expired during the COVID-19 response period.
- (2) For the COVID-19 response period, the *Explosives Act 1999*, section 19 applies to an affected licence as if section 19(1) of the Act were replaced by—
  - ‘(1) Despite anything stated in an authority, the term of an authority is the period—
    - (a) starting on the day the authority is issued; and
    - (b) ending on 31 December 2020.’.

(3) In this section—

*COVID-19 response period* means the period—

- (a) starting on the commencement; and
- (b) ending on 31 December 2020.

## **Part 3** **Modification of Explosives Regulation 2017**

### **4** **Modification of the Explosives Regulation 2017, s 33 (Shotfirer licence)**

For the COVID-19 emergency period, the *Explosives Regulation 2017*, section 33 applies as if section 33(2) of the regulation were replaced by—

‘(2) However, a shotfirer licence authorises the holder of the licence to do a thing mentioned in subsection (1)(a), (c) or (e) only if—

- (a) the holder has a current competency assessment in relation to the doing of the thing; or
- (b) for a shotfirer licence that is renewed during the COVID-19 emergency period—the chief inspector is satisfied, having regard to documentary evidence given to the chief inspector by the holder, the holder has the specific competencies mentioned in subsection (3), definition *current competency assessment*, paragraph (a).

*Examples of documentary evidence demonstrating a person has the specific competencies—*

- a certificate of completion of an online course stating the person has attained the specific competencies

- a statement from the person's employer that the person has demonstrated the specific competencies'.

## **5 Modification of the Explosives Regulation 2017, s 37 (Shotfirer licence)**

For the COVID-19 emergency period, the *Explosives Regulation 2017*, section 37 applies as if section 37(1)(c) of the regulation were replaced by—

‘(c) either—

- (i) has, within the 5-year period ending on the day the application for the licence is made, been assessed by a registered training organisation as having attained the specific competencies, approved by the chief inspector and published on a Queensland Government website, in the use of blasting explosives contained in an industry training package; or
- (ii) if the person is the applicant for the renewal of the licence—has given the chief executive documentary evidence demonstrating the person has the specific competencies mentioned in subparagraph (i); and

*Examples of documentary evidence demonstrating a person has the specific competencies—*

- a certificate of completion of an online course stating the person has attained the specific competencies
- a statement from the person's employer that the person has demonstrated the specific competencies'.

## **Part 6**                      **Expiry of regulation**

### **12**      **Expiry**

This regulation expires on 31 December 2020.