

EXPLOSIVES AMENDMENT BILL

EXPLANATORY NOTE

This Bill amends the Explosives Act 1957.

Clause 1 relates to the Short Title and provides that the Bill will come into force on 1 January 1969.

Clause 2: Subclause (1) inserts a new section 23A in the principal Act making it an offence to sell by retail any firework other than certain specified varieties, except during the fortnight expiring with the 1st day of January and during the fortnight expiring with the 5th day of November in any year. The proviso enables the Chief Inspector of Explosives to consent to retail sales at times other than as permitted, at his discretion and subject to such terms and conditions as he thinks fit. The term "sale" is defined for the purposes of the new section.

Subclause (2) is a consequential amendment.

Hon. Mr Seath

EXPLOSIVES AMENDMENT

ANALYSIS

Title	1. Short Title and commencement 2. Restriction on sale of fireworks
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A BILL INTITULED

An Act to amend the Explosives Act 1957

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows:

1. **Short Title and commencement**—(1) This Act may be cited as the Explosives Amendment Act 1968, and shall be read together with and deemed part of the Explosives Act 1957* (hereinafter referred to as the principal Act).

10 (2) This Act shall come into force on the first day of January, nineteen hundred and sixty-nine.

2. **Restriction on sale of fireworks**—(1) The principal Act is hereby amended by inserting, after section 23, the following section:

15 “23A. (1) No person shall sell by retail any explosive of the third division of the seventh (firework) class, other than amorces, crack shots, snaps for bonbon crackers, or streamer bombs, except during—

20 “(a) The period of two weeks ending with the first day of January in each year; and

*1957 Reprint, Vol. 4, p. 731

Amendments: 1958, No. 66; 1962, No. 65

“(b) The period of two weeks ending with the fifth day of November in each year:

“Provided that, on application being made in writing to the Chief Inspector of Explosives, the Chief Inspector may, if satisfied that any occasion or event so warrants, consent in writing to the sale by retail of any other explosive of the third division of the seventh (firework) class, by any named person or persons, at such specified other times and on such conditions and subject to such terms as he may think fit, including any condition restricting the means of sale, or the persons or class of persons purchasing, or the purpose for which the explosives may be sold, or the cause of celebration or place or time at which the explosives may be used, or any other matter whatsoever. 5 10 15

“(2) For the purposes of this section, ‘sale’ means any sale or contract of sale, and includes offering, inviting, displaying, exposing, exhibiting, advertising, or holding out for sale, and ‘to sell’ has a corresponding meaning.” 20

(2) Section 22 of the principal Act is hereby consequentially amended by omitting from subsection (1) the words “section thirty-eight”, and substituting the words “sections 23A and 38”.