

Selling, storing and importing retail fireworks

August 2019

If you are selling, storing or importing retail fireworks in New Zealand, there are rules you must follow to stay within the law¹. This information sheet tells you what you need to know.

Selling fireworks

You can only sell or display fireworks for four days each year: beginning 2 November and ending at the close of 5 November.

You can only sell fireworks to people aged 18 years and over, and they must not be sold to the public unless the fireworks must have been tested and have a fireworks certificate². You can ask the importer or New Zealand manufacturer for a copy of this certificate.

Fireworks displayed for sale in areas accessible to the public must be in fire-resistant packaging.

Sparklers cannot be sold individually. They can only be sold with other fireworks in a retail fireworks package, which can contain up to 50 sparklers but must contain at least three other fireworks.



Fireworks packages must be constructed of fire-resistant material and certified by a fireworks certifier.

If you are handling 500 kg or more (gross weight) of fireworks at any one time, you must have an approved/certified handler present (see overleaf for more information about certified handlers).

Storing fireworks

You can hold up to 1,000 kg (gross weight) of fireworks inside a building or container. If you have 1,000 kg (gross weight) or more, your storage site becomes a 'hazardous substance location' and must be managed appropriately.

Some of the requirements for a hazardous substance location containing fireworks are that it must:

- be of fire-resistant construction
- be secure and have restricted access (including a lock)
- be monitored at all times by a security system
- have no readily combustible materials within five metres of the storage site, if you have more than 10,000 kg (gross weight) of fireworks
- have no ignition sources present, including electrical equipment and cars, and
- be under the control or supervision of a certified handler responsible for the fireworks.

¹ Retail fireworks are covered by the [Hazardous Substances and New Organisms Act 1996](#), the [Hazardous Substances \(Fireworks\) Regulations 2001](#), the [Hazardous Substances \(Fireworks, Safety Ammunition, and Other Explosives Transfer\) Regulations 2003](#), and the [Health and Safety at Work \(Hazardous Substances\) Regulations 2017](#). Note: this guide does not cover 'novelty fireworks', such as party poppers, Christmas crackers, or cap guns.

² This certificate confirms that the fireworks meet the requirements of the Hazardous Substances (Fireworks) Regulations 2001.

One way to convert an area into a compliant hazardous substance location is to store your fireworks outside the shop in a standard ISO shipping container. Any container used must be made from fire-resistant material and have no readily combustible materials within 2 metres if the container holds up to 10,000 kg (gross weight) of fireworks.

If you plan to hold 1,000 kg (gross weight) or more of fireworks, you must inform WorkSafe New Zealand at least 30 working days before the fireworks are due to arrive at the storage site. You should also check with your council to see if there are any local requirements.

If you have more than 10,000 kg (gross weight) or more of fireworks, you need a location compliance certificate from a compliance certifier to verify that your hazardous substance location meets the safety requirements.

For a list of compliance certifiers, see www.worksafe.govt.nz

Certified handlers

A certified handler is someone who has been certified by a compliance certifier as competent to handle retail fireworks³.

If you are handling 500 kg or more (gross weight) of fireworks, the fireworks must be:

- under the personal control of a certified handler, or
- handled by a person who has been provided with training, and a certified handler must be present and available at all times.

If you have less than 500 kg, you do not need a certified handler, but your staff must be trained or supervised to ensure the fireworks are stored and handled safely.

To become a certified handler, you must demonstrate that you are experienced in handling retail fireworks and that you know the relevant provisions of the Health and Safety at Work Act 2015 and associated regulations. Once this is confirmed, the compliance certifier will issue you with a certified handler certificate.

For a list of compliance certifiers, see www.worksafe.govt.nz

Importing fireworks

If you are importing fireworks, you must obtain an import certificate from the EPA for each consignment. New Zealand Customs will not release the consignment to allow it into the country until you have obtained this certificate. You should allow 10 working days for the import certificate to be processed, from the receipt of payment and the completed application.

You must also ensure that a sample of each consignment of fireworks is tested for its construction and design by a fireworks certifier. The retail fireworks package must also be certified. Fireworks cannot be supplied for retail sale until this is completed.

For a list of fireworks certifiers, see www.epa.govt.nz

Enforcement

WorkSafe New Zealand is responsible for enforcing the rules applying to workplaces, and the New Zealand Police are responsible for enforcing restrictions relating to the sale of fireworks to the public. Your local council is responsible for enforcing the sale of fireworks rules when they are stored in residential properties (and anywhere other than a workplace). If you have any concerns about the sale of retail fireworks, please contact WorkSafe New Zealand or the Police.

Amount of fireworks (gross weight)	What is needed
500 kg or more	A certified handler
1,000 kg or more	Establish a hazardous substance location
10,000 kg or more	A location compliance certificate from a compliance certifier

³ Certified handlers were called 'approved handlers' before 1 December 2017. Approved handler certificates remain valid for 5 years, and transfer to the certified handler role.