

Reprint
as at 1 December 2017



Hazardous Substances (Classes 1 to 5 Controls) Amendment Regulations 2013 (SR 2013/436)

Hazardous Substances (Classes 1 to 5 Controls) Amendment Regulations 2013: revoked, on 1 December 2017, pursuant to regulation 4(1) of the Hazardous Substances (Health and Safety Reform Revocations) Regulations 2017 (LI 2017/233).

Rt Hon Dame Sian Elias, Administrator of the Government

Order in Council

At Wellington this 21st day of October 2013

Present:

Her Excellency the Administrator of the Government in Council

Pursuant to sections 75 and 76 of the Hazardous Substances and New Organisms Act 1996, Her Excellency the Administrator of the Government makes the following regulations, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister for the Environment made after complying with section 141(1) of that Act.

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Note

Changes authorised by subpart 2 of Part 2 of the Legislation Act 2012 have been made in this official reprint.
Note 4 at the end of this reprint provides a list of the amendments incorporated.

These regulations are administered by the Ministry for the Environment.

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Regulations

1 Title

These regulations are the Hazardous Substances (Classes 1 to 5 Controls) Amendment Regulations 2013.

2 Commencement

These regulations come into force on 21 November 2013.

3 Principal regulations

These regulations amend the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 (the **principal regulations**).

4 Regulation 11 amended (Definitions specific to Part 3)

- (1) In regulation 11, definition of **exclusion zone**, after “regulation 36”, insert “or 45”.
- (2) In regulation 11, insert in their appropriate alphabetical order:

indoor pyrotechnic display means an indoor display of pyrotechnics

indoor pyrotechnics means class 1 category G substances designed for indoor use that—

- (a) contain no more than a trace of antimony, arsenic, cadmium, chromium, lead, mercury, nickel, selenium, or zinc, or their compounds; and
- (b) have a specified height and duration of operation, and a specified radius within which any burning or burnt material may be expected to fall

outdoor pyrotechnic display means an outdoor display of pyrotechnics

outdoor pyrotechnics means class 1 category G substances other than—

- (a) indoor pyrotechnics; and
- (b) those approved for sale to the public under the Hazardous Substances (Fireworks) Regulations 2001

5 Regulation 38 amended (Exclusion zone requirements)

In regulation 38(5)(b), replace “objective” with “object”.

6 New regulations 43A and 43B inserted

After regulation 43, insert:

43A Only indoor pyrotechnics used in outdoor pyrotechnic display

- (1) This regulation applies if only indoor pyrotechnics are used in an outdoor pyrotechnic display.
- (2) Regulations 44 and 45 apply in relation to the display and the indoor pyrotechnics as if the display were an indoor display.
- (3) Regulation 38(5)(c) applies in relation to the display and the indoor pyrotechnics, but the rest of regulations 35 to 43 do not apply.

43B Both indoor pyrotechnics and outdoor pyrotechnics used in outdoor pyrotechnic display

- (1) This regulation applies if both indoor pyrotechnics and outdoor pyrotechnics are used in an outdoor pyrotechnic display.
- (2) Regulations 35, 38(5)(c) and (d), and 39 to 43 apply in relation to the entire display and both the indoor pyrotechnics and the outdoor pyrotechnics.
- (3) Regulations 36 and 37 and the rest of regulation 38 apply only in relation to the outdoor pyrotechnics.
- (4) However, regulation 40 applies under subclause (2) as if—
 - (a) regulation 40(b) also referred to the boundary of an exclusion zone as specified in regulation 45(2)(d); and
 - (b) regulation 40 included a paragraph that refers to the requirements of regulation 45(4)(b).
- (5) Regulation 45(2)(c) and (d) and (4)(a) and (b) apply in relation to the indoor pyrotechnics as if the display were an indoor display.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations amend the Hazardous Substances (Classes 1 to 5 Controls) Regulations 2001 (the **principal regulations**). The amendments come into force on 21 November 2013.

The amendments specify which provisions do and do not apply when indoor pyrotechnics are used in an outdoor pyrotechnic display. The provisions that apply are a combination of the provisions that usually apply to outdoor pyrotechnic displays or to indoor pyrotechnic displays. The combination of provisions depends on whether only indoor pyrotechnics, or both indoor pyrotechnics and outdoor pyrotechnics, are used in the outdoor display.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 24 October 2013.

Reprints notes

1 *General*

This is a reprint of the Hazardous Substances (Classes 1 to 5 Controls) Amendment Regulations 2013 that incorporates all the amendments to those regulations as at the date of the last amendment to them.

2 *Legal status*

Reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by any amendments to that enactment. Section 18 of the Legislation Act 2012 provides that this reprint, published in electronic form, has the status of an official version under section 17 of that Act. A printed version of the reprint produced directly from this official electronic version also has official status.

3 *Editorial and format changes*

Editorial and format changes to reprints are made using the powers under sections 24 to 26 of the Legislation Act 2012. See also <http://www.pco.parliament.govt.nz/editorial-conventions/>.

4 *Amendments incorporated in this reprint*

Hazardous Substances (Health and Safety Reform Revocations) Regulations 2017 (LI 2017/233): regulation 4(1)