

# DRAFT FOR CONSULTATION

## Fireworks Prohibition Legislation Bill

Member's Bill

### Explanatory note

#### General policy statement

This Bill seeks to prohibit the public sale and use of fireworks in New Zealand. Under the Bill, approved public displays will continue to be permitted.

The Bill aims to address the widespread public concern about the adverse effects of fireworks on animal welfare, public safety, and the environment. Advocacy groups have raised concerns regarding these risks, and there have been popular public petitions supporting control.

Fireworks can potentially cause severe distress to livestock, wildlife, and domestic pets. The sudden loud sounds and flashes of light have a tendency to lead to panic, injury, and even death. Veterinarians commonly report increased cases of anxiety-related disease and lost pets following firework events.

Abuse of fireworks have resulted in property damage, personal injury, and an increased burden on emergency services. Fire hazards, particularly during dry conditions, pose a serious threat to towns and countryside communities. By restricting public access to fireworks, the Bill aims to reduce these threats and improve community safety overall.

#### Clause by clause analysis

*Clause 1* is the Title clause.

*Clause 2* is the commencement clause and provides for the Bill to come into force the day after Royal assent.

## **Part 1**

### **Amendments to the Hazardous Substances and New Organisms Act 1996**

*Clause 3* identifies the Hazardous Substances and New Organisms Act 1996 as the Act being amended by this Part.

*Clause 4* inserts *new section 25E* to prohibit the retail sale of fireworks, and the importation or manufacture of fireworks for retail sale.

*Clause 5* and *6* make provision for the offence of non-compliance with the prohibitions in *new section 25E* and provide a penalty for that offence.

*Clause 7* and the *Schedule* provide for transitional matters.

## **Part 2**

### **Amendment to the Summary Offences Act 1981**

*Clause 8* identifies the Summary Offences Act 1981 as the Act being amended by this Part.

*Clause 9* amends *section 35* to increase the fine for setting off or throwing fireworks. It also expands the section to apply to animals.

## **Part 3**

### **Revocation of Hazardous Substances (Fireworks) Regulations (SR 2001/121)**

*Clause 10* revokes the Hazardous Substances (Fireworks) Regulations (SR 2001/121).

*Jenny Marcroft*

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**The Parliament of New Zealand enacts as follows:****1 Title**

This Act is the Fireworks Prohibition Legislation Act **2025**.

**2 Commencement**

This Act comes into force the day after Royal assent.

**Part 1****Amendments to the Hazardous Substances and New Organisms Act 1996****3 Principal Act**

This Part amends the Hazardous Substances and New Organisms Act 1996.

**4 New section 25E inserted (Retail sale of fireworks prohibited)**

After section 25D, insert:

**25E Retail sale of fireworks prohibited**

- (1) The retail sale of fireworks is prohibited.
- (2) To this end,—
  - (a) no fireworks may be imported into or manufactured in New Zealand for retail sale; and
  - (b) no approval may be issued to import into or manufacture in New Zealand fireworks for retail sale.
- (3) In this section, **fireworks** do not include—
  - (a) bonbon crackers snaps, or similar pyrotechnic novelties or noise makers containing less than 1.7 mg of pyrotechnic substance; or
  - (b) amorces, crackshots, or similar pyrotechnic novelties or noise makers containing less than 5 mg of pyrotechnic substance; or
  - (c) party poppers, streamer bombs, handblasters, or similar pyrotechnic novelties or noise makers containing less than 20 mg of pyrotechnic substance.

**5 Section 109 amended (Offences)**

After section 109(1)(c), insert:

- (ca) sells, imports, or manufactures any firework in contravention of **section 25E**; or

**6 Section 114 amended (Penalties)**

In section 114(1), after “paragraph (c) or” insert “**paragraph (ca)** or”.

**7 Schedule 7 amended**

Insert the **Part** set out in the **Schedule** of this Act as the last Part.

**Part 2****Amendment to the Summary Offences Act 1981****8 Principal Act**

This Part amends the Summary Offences Act 1981.

**9 Section 35 amended (Setting off or throwing fireworks)**

- (1) In section 35, replace “a fine not exceeding \$200” with “a fine not exceeding \$2,000”.
- (2) In section 35(a), after “any person” insert “or animal”.
- (3) In section 35(b), after “any person” insert “or animal”.

**Part 3****Revocation of Hazardous Substances (Fireworks) Regulations (SR 2001/121)****10 Hazardous Substances (Fireworks) Regulations 2001 revoked**

Revoke the Hazardous Substances (Fireworks) Regulations (SR 2001/121).

**Schedule**  
**New Part 3 inserted into Schedule 7**

s 7

**Part 3**

**Provisions relating to Fireworks Prohibition Legislation Act 2025**

**14 Interpretation**

In this **Part**,—

**amendment Act** means the Fireworks Prohibition Legislation Act 2025

**distributor** means a person engaged in the business of selling fireworks otherwise than at retail only

**retailer** means a person engaged in a business that includes the sale of fireworks for any reason other than for resale by the person to whom the fireworks are sold

**transitional period** means the 6-month period starting at the commencement of the amendment Act.

**15 No transitional period for manufacturers or importers**

There is no transitional period for a manufacturer or an importer of fireworks.

**16 Transitional period for distributors or retailers**

A distributor or retailer does not commit an offence against this Act in the 6-month transitional period.