



Explosives Act 1875

CHAPTER 17

EXPLOSIVES ACT 1875

Preliminary

- 1 Short title
- 2 Commencement of Act
- 3 Substances to which this Act applies

PART I

LAW RELATING TO GUNPOWDER

General Law as to Manufacture and Keeping of Gunpowder

- 4 Gunpowder to be manufactured only at factory lawfully existing or licensed under this Act
- 5 Gunpowder (except for private use) to be kept only in existing or new magazine or store, or in registered premises

Licensing of Factories and Magazines for Gunpowder

- 6 Application for license for new factory or magazine
- 7 Application for assent of local authority to site. of new factory or magazine
- 8 Grant and confirmation of license

Regulation of Factories and Magazines for Gunpowder

- 9 Regulation of factories and magazines for gunpowder
- 10 General rules for factories and magazines
- 11 Special rules for regulation of workmen in factory or magazine

Supplemental as to Factories and Magazines for Gunpowder

- 12 Alteration of terms of license and enlargement of factory or magazine
- 13 Devolution and determination of license

Application of Act to existing Factories and Magazines for Gunpowder

- 14 Continuing certificate for existing factories and magazines

Consumers Stores for Gunpowder Licensing and Regulation of Stores

- 15 Store license to be obtained from local authority
- 16 Order in Council prescribing situation and construction of stores
- 17 General rules for stores
- 18 Non-transferability, renewal, and forms of store licenses
- 19 Special rules for regulation of workmen in stores

Application of Act to existing Stores for Gunpowder

- 20 Definition of and continuing certificate for existing stores which are to be subject to this Act

Retail Dealing with Gunpowder Registration and Regulation of Registered Premises

- 21 Registration of premises with local authority
- 22 General rules for registered premises

Supplemental Provisions

- 23 Precautions against fire or explosion to be taken by occupier
- 24 Explanation as to quantities of gunpowder allowed in buildings
- 25 Regulations as to arbitration
- 26 Fees for licenses
- 27 Adjoining places occupied together to be one place
- 28 Register of store licenses and registered premises to be kept by local authority
- 29 Provision in case of death, &c. of occupier of store or; registered premises

Sale of Gunpowder

- 30 Restriction on sale of gunpowder in highways, &c
- 31 Penalty for sale of gunpowder to children
- 32 Sale of gunpowder to be in closed packages labelled

Conveyance of Gunpowder

- 33 General rules as to packing of gunpowder for conveyance
- 34 Byelaws by harbour authority as to conveyance, loading, &c of gunpowder
- 35 Byelaws by railway and canal company as to conveyance, loading, &c. of gunpowder
- 36 Byelaws as to wharves in which gunpowder is loaded or unloaded
- 37 Byelaws as to conveyance by road or otherwise;, or loading of gunpowder. 38. Confirmation and publication of byelaws
- 38 Any recommendation to Her Majesty in Council, any general rules...

PART II

LAW RELATING TO OTHER EXPLOSIVES

Application of Part I. to other Explosives

- 39 Part I. relating to gunpowder applied to other explosives
- 40 Modification of Part I. as applied to explosives other than gunpowder
- 41 Exemption of making and carrying safety cartridges for private use
- 42 Extension of 18 & 19 Vict. c. 119. s. 29. and 36 & 37 Vict c. 85. ss. 23-27. to all explosives

Specially dangerous Explosives

- 43 Power to prohibit manufacture, importation, storage, and carriage of specially dangerous explosives

Provisions in favour of certain Manufacturers and Dealers

- 44 Provision in favour of makers, &c. of blasting cartridges
- 45 Provision in favour of makers of new explosive for experiment
- 46 Provision in favour of gunmakers, &c. making cartridges
- 47 Provision in favour of owners of mines and quarries as to making charges, &c. for blasting
- 48 Provision in favour of small firework manufacturer who may obtain a license from the local authority
- 49 Licensing by local authority and regulation of mall firework factories
- 50 Keeping without a license and conveyance of percussion caps, &c

Existing Factories, Magazines, and Stores

- 51 Application of Part I. of the Act to existing factories and magazines
- 52 Continuing certificate not required for factory, magazine, or importation license expiring within 12 months, or for stores licensed under Nitro-glycerine Act, 1869

PART III

ADMINISTRATION OF LAW

Government Supervision Inspection

- 53 Appointment of Government inspectors
- 54 Disqualification of persons as inspectors
- 55 Powers of Government inspectors
- 56 Notice by Government inspector to remedy dangerous practices, &c, and penalty for non-compliance. "
- 57 Annual report of Government inspectors proceedings
- 58 Inspection by railway inspectors or inspectors of Board of Trade
- 59 Application of 35 & 36 Vict. c. 76. and c. 77. to magazines used for mines
- 60 License and special rules certified by Government inspector to be evidence
- 61 Keeping and carriage of samples by Government inspector
- 62 Salaries of Government inspectors and expenses of Act

Status: This is the original version (as it was originally enacted).

Accidents

- 63 Notice to be given of accidents connected with explosive
- 64 Reconstruction of buildings destroyed by accident
- 65 Provisions as to coroners inquests on deaths from accidents connected with explosives
- 66 Inquiry into accidents and formal investigation in serious cases

Local Supervision Definition and Powers of Local Authority

- 67 Definition of local authority
- 68 Power of certain local bodies to become a local authority
- 69 Duty of local authority and power of officer
- 70 Expenses of local authority

Power of Local Authority to provide Carriages and Magazines

- 71 Undertaking of carriage by harbour authority and canal company
- 72 Provision of magazines by local authority

General Power of Search

- 73 Search for explosive when in place in contravention of this Act, or offence being committed with respect to it
- 74 Seizure and detention of explosives liable to forfeiture
- 75 Inspection of wharf, carriage, boat, &c. with explosives in transitu
- 76 Payment for samples of explosives

PART IV

SUPPLEMENTAL PROVISIONS, LEGAL PROCEEDINGS, EXEMPTIONS, AND DEFINITIONS

Supplemental Provisions

- 77 Penalty on and removal of trespassers
- 78 Arrest without warrant of persons committing dangerous offences
- 79 Imprisonment for wilful act or neglect endangering life or limb
- 80 Penalty for throwing fireworks in thoroughfare
- 81 Forgery and falsification of documents
- 82 Punishment for defacing notices
- 83 Provisions as to Orders in Council and orders of Secretary of State
- 84 Publication of byelaws, notices, &c
- 85 Requisitions, notices, &c. to be in writing, &c, and how to be served
- 86 Construction of enactments referring to powers of searching for gunpowder

Legal Proceedings

- 87 Exemption of occupier from penalty upon proof of another being real offender
- 88 Exemption of carrier and owner and master of ship where consignee, &c. in fault
- 89 Supplemental provisions as to forfeiture of explosive
- 90 Jurisdiction in tidal waters or on boundaries
- 91 Prosecution of offences either summarily or on indictment
- 92 Power of offender in certain cases to elect to be tried on indictment, and not by summary jurisdiction

- 93 Appeal to quarter sessions
- 94 Constitution of court
- 95 Distress of ship
- 96 Application of penalties and disposal of forfeitures

Exemptions and Savings

- 97 Exemption of Government factories, &c. from the Act
- 98 Saving for rocket and fog stations
- 99 Exemption of magazines in the Mersey
- 100 Saving for master of ship and carrier in case of emergency
- 101 Saving for rockets, gunpowder, &c. on board ship in compliance with 17 & 18 Vict. c. 104
- 102 Saving clause as to liability
- 103 Powers of Act cumulative, with power to make provisional order for repealing local Acts

Definitions

- 104 Extension of definition of explosive to other explosive substances
- 105 Persons carrying on certain processes to be deemed manufacturers
- 106 Definition and classification of explosives by Order in Council
- 107 Definition of " chief officer of police " and " police district. "
- 108 General definitions

Application of Act to Scotland

- 109 Definitions
- 110 Local authority
- 111 Expenses of local authority
- 112 Secretary of State empowered to declare police commissioners the local authority in certain cases
- 113 Local authority to have certain powers to take land otherwise than by agreement
- 114 Provision for making and enforcing byelaws, &c
- 115 Board of Trade empowered to make byelaws for the lower estuary of the Clyde : Secretary of State to define the authority for enforcing such byelaws

Application of Act to Ireland

- 116 Definition of local authority
- 117 Power of certain local bodies to become a local authority
- 118 Expenses of local authority
- 119 Form of registers of store licenses and registered premises, and amount of fees, to be approved by Secretary of State
- 120 Definitions
- 121 Application of penalties in Ireland

Repeal of Acts

- 122 Repeal of certain Acts and part of Act in 4th and 5th schedules

Status: This is the original version (as it was originally enacted).

SCHEDULES.

- FIRST SCHEDULE —
 PART ONE — GUNPOWDER FACTORIES
 PART TWO — GUNPOWDER STORES
- SECOND — Arbitration
SCHEDULE
- THIRD SCHEDULE —
- FOURTH SCHEDULE —
- FIFTH SCHEDULE —