



# Explosives Act 1875

1875 CHAPTER 17 38 and 39 Vict

## PART IV.—SUPPLEMENTAL PROVISIONS, LEGAL PROCEEDINGS, EXEMPTIONS, AND DEFINITIONS

### *Definitions*

#### <sup>F1</sup>**104 Extension of definition of explosive to other explosive substances.**

Her Majesty may, by Order in Council, declare that any substance which appears to Her Majesty to be specially dangerous to life or property by reason either of its explosive properties, or of any process in the manufacture thereof being liable to explosion, shall be deemed to be an explosive within the meaning of this Act and the provisions of this Act (subject to such exceptions, limitations, and restrictions as may be specified in the order) shall accordingly extend to such substance in like manner as if it were included in the term explosive in this Act.

#### **Textual Amendments**

**F1** S. 104 repealed (E.W.S) (1.10.2014) by [The Acetylene Safety \(England and Wales and Scotland\) Regulations 2014 \(S.I. 2014/1639\)](#), reg. 1(1), **Sch. 3 Pt. 1**

#### **Modifications etc. (not altering text)**

**C1** S. 104: transfer of functions (12.4.2010) by [The Northern Ireland Act 1998 \(Devolution of Policing and Justice Functions\) Order 2010 \(S.I. 2010/976\)](#), **Sch. 12 para. 1(1)** (with arts. 28-31, Sch. 12 para. 4(1))

#### <sup>F2F3</sup>**105 Persons carrying on certain processes to be deemed manufacturers.**

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*Changes to legislation: There are currently no known outstanding effects for the Explosives Act 1875, Cross Heading: Definitions. (See end of Document for details)*

**Textual Amendments**

- F2** S. 105 (N.I.) repealed (1.12.2006) by [The Manufacture and Storage of Explosives Regulations \(Northern Ireland\) 2006 \(S.R. 2006/425\)](#), reg. 1, Sch. 6 para. 1(12), **Sch. 7 Pt. 1** (with reg. 26)
- F3** S. 105 repealed (E.W.S.) (26.4.2005 with application outside E.W.S. as mentioned in reg. 3 of the repealing S.I.) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), Sch. 5 para. 1(14), **Sch. 6** (with reg. 3)

**<sup>F4F5</sup>106 Definition and classification of explosives by Order in Council.**

**Textual Amendments**

- F4** S. 106 repealed (N.I.) (1.12.2006) by [The Manufacture and Storage of Explosives Regulations \(Northern Ireland\) 2006 \(S.R. 2006/425\)](#), reg. 1, Sch. 6 para. 1(12), **Sch. 7 Pt. 1** (with reg. 26)
- F5** S. 106 repealed (E.W.S.) (26.4.2005 with application outside E.W.S. as mentioned in reg. 3 of the repealing S.I.) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), Sch. 5 para. 1(14), **Sch. 6** (with reg. 3)

**107** ..... <sup>F6</sup>

**Textual Amendments**

- F6** S. 107 repealed by [Police Act 1964 \(c. 48\)](#), **Sch. 10 Pt. I** and [Police \(Scotland\) Act 1967 \(c. 77\)](#), Sch. 5 Pts. I, II

**108 General definitions.**

In this Act, unless the context otherwise requires—

The expression “this Act” includes any license, <sup>F7F8</sup>... and order granted or made in pursuance of this Act:

<sup>F9F10</sup> ...

The expression “person” includes a body corporate:

The expression “occupier” includes any number of persons and a body corporate; and in the case of any manufacture or trade, includes any person carrying on such manufacture or trade:

The expression “master” includes every person (except a pilot) having command or charge of a ship, and in reference to any boat belonging to a ship, means the master of the ship; and when used in reference to any other boat, includes every person having command or charge of such boat:

The expression “magazine” includes any ship or other vessel used for the purpose of keeping any explosive:

<sup>F9F10</sup> ...

The expression “store” means <sup>F11F12</sup>...a place for keeping an explosive <sup>F11F12</sup>...:

<sup>F13</sup> .....

*Changes to legislation:* There are currently no known outstanding effects for the Explosives Act 1875, Cross Heading: Definitions. (See end of Document for details)

The expression “warehouseman” includes all persons owning or managing any warehouse, store, wharf, or other premises in which goods are deposited:

The expression “carrier” includes all persons carrying goods or passengers for hire by land or water:

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The expression “tidal water” means any part of the sea or of a river within the ebb and flow of the tides at ordinary spring tides:

The expression “inland water” means any canal, river, navigation, lake, or water which is not tidal water:

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...

The expression “wharf” includes any quay, landing-place, siding, or other place at which goods are landed, loaded, or unloaded:

The expression “carriage” includes any carriage, waggon, cart, truck, vehicle, or other means of conveying goods or passengers by land, in whatever manner the same may be propelled:

The expression “ship” includes every description of vessel used in sea navigation, whether propelled by oars or otherwise:

The expression “boat” means every vessel not a ship as above defined which is used in navigation in any inland water or any harbour, whether propelled by oars or otherwise:

The expression “prescribed” means prescribed by Order in Council:

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<sup>F15</sup>[The expression “road” has the same meaning as in the Roads (Scotland) Act 1984.]

### Textual Amendments

- F7** Words in s. 108 repealed (E.W.S.) (26.4.2005 with application outside E.W.S. as mentioned in reg. 3 of the repealing S.I.) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), Sch. 5 para. 1(15)(a), **Sch. 6** (with reg. 3)
- F8** Words in s. 108 omitted (N.I.) (1.12.2006) by virtue of [The Manufacture and Storage of Explosives Regulations \(Northern Ireland\) 2006 \(S.R. 2006/425\)](#), reg. 1, Sch. 6 para. 1(13)(a), **Sch. 7 Pt. 1** (with reg. 26)
- F9** Words in s. 108 repealed (E.W.S.) (26.4.2005 with application outside E.W.S. as mentioned in reg. 3 of the repealing S.I.) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), Sch. 5 para. 1(15)(c), **Sch. 6** (with reg. 3)
- F10** Words in s. 108 omitted (N.I.) (1.12.2006) by virtue of [The Manufacture and Storage of Explosives Regulations \(Northern Ireland\) 2006 \(S.R. 2006/425\)](#), reg. 1, Sch. 6 para. 1(13)(c), **Sch. 7 Pt. 1** (with reg. 26)
- F11** Words in s. 108 repealed (E.W.S.) (26.4.2005 with application outside E.W.S. as mentioned in reg. 3 of the repealing S.I.) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), Sch. 5 para. 1(15)(b), **Sch. 6** (with reg. 3)
- F12** Words in s. 108 omitted (N.I.) (1.12.2006) by virtue of [The Manufacture and Storage of Explosives Regulations \(Northern Ireland\) 2006 \(S.R. 2006/425\)](#), reg. 1, Sch. 6 para. 1(13)(b), **Sch. 7 Pt. 1** (with reg. 26)

**Changes to legislation:** *There are currently no known outstanding effects for the Explosives Act 1875, Cross Heading: Definitions. (See end of Document for details)*

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- F13** Words repealed by [Statute Law Revision \(No. 2\) Act 1893 \(c. 54\)](#)
- F14** Words repealed (E.W.) by [Local Government Act 1972 \(c. 70\)](#), **Sch. 30**  
Words from "the expression"county" to "such district" repealed (5.11.1993) by 1993 c. 50, s. 1(1), **Sch. 1 Pt.VII.**
- F15** Words added (S) by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), **Sch. 9 para. 7(5)**
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**Modifications etc. (not altering text)**

- C2** Definition of “magazine” extended by [Hovercraft Act 1968 \(c. 59\)](#), **Sch. para. 2**
- C3** Reference to urban sanitary district and urban sanitary authority to be construed as reference to district and district council: [Local Government Act 1972 \(c. 70\)](#), **s. 179(3)**

**Changes to legislation:**

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