



Explosives Act 1875

CHAPTER 17

EXPLOSIVES ACT 1875

PRELIMINARY

- 1 Short title.
- 2
- 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.

Changes to legislation: Explosives Act 1875 is up to date with all changes known to be in force on or before 20 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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 unauthorised access
- 24 Explanation as to quantities of gunpowder allowed in buildings.
- 25
- 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
- 38 Confirmation and publication of byelaws.

PART II.—LAW RELATING TO OTHER EXPLOSIVES

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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 Exception of safety cartridges
- 42

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 small 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

PART III.—ADMINISTRATION OF LAW

Government Supervision Inspection

- 53—57
- 58 Inspection by railway inspectors or inspectors of Board of Trade.
- 59
- 60 †License and special rules certified by Government inspector to be evidence.
- 61 †Keeping and carriage of samples by Government inspector.
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Accidents

- 63 Notice to be given of accidents connected with explosive.
- 64 Reconstruction of buildings destroyed by accident.
- 65, 66

Local Supervision Definition and Powers of Local Authority

- 67 Definition of local authority.
- 68
- 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.

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72 Provision of magazines by local authority.

General Power of Search

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74 Seizure and detention of explosives liable to forfeiture.
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**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
80 Penalty for throwing fireworks in thoroughfare.
81
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
86 Construction of enactments referring to powers of searching for
gunpowder.

Legal Proceedings

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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.
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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
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.

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- 107
- 108 General definitions.

Application of Act to Scotland

This Act shall apply to Scotland, with the following modifications;...

- 109 Definitions.
- 110 Local authority.
- 111 Expenses of local authority.
- 112
- 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

This Act shall apply to Ireland, with the following modifications;...

- 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
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SCHEDULES

FIRST SCHEDULE —
Part One

Gunpowder Factories

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Part Two

Gunpowder Stores.

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SECOND —
SCHEDULE
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THIRD SCHEDULE —

Maximum Fees for Licenses granted by the Secretary of State

FOURTH SCHEDULE —

FIFTH SCHEDULE —

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Changes and effects yet to be applied to :

- s. 30-32 repealed by [2003 c. 22 Sch.](#)
- s. 40(4) words repealed by [2003 c. 22 Sch.](#)
- s. 80 repealed by [2003 c. 22 Sch.](#)
- s. 103 repealed by [S.I. 2005/1082 Sch. 5 para. 1\(14\)Sch. 6](#)