



Explosives Act 1875

1875 CHAPTER 17 38 and 39 Vict

PART II.—LAW RELATING TO OTHER EXPLOSIVES

Provisions in favour of certain Manufacturers and Dealers

46 Provision in favour of gunmakers, &c. making cartridges.

The occupier of a magazine, store, or registered premises for any explosive shall not be required by this Act to take out a factory license by reason that in connexion with such magazine, store, or premises he fills for sale or otherwise any cartridge for small arms with the said explosive, so that he observe the following regulations; namely,

- (1) There shall not be in the room in which such filling is being carried on more than [^{F1}2 kilograms] of gunpowder, or the prescribed amount of any other explosive, except it is made up into safety cartridges; and
- (2) Any work unconnected with the making of the cartridges shall not be carried on in the room while such filling is being carried on; and
- (3) There shall not be in the room while such filling is being carried on any fire nor any artificial light, except a light of such construction, position, or character as not to cause any danger of fire or explosion; and
- (4) In the case of a magazine or store, the room in which the filling is carried on shall be detached from the magazine or store, but in the immediate neighbourhood thereof, and at such distance therefrom as may be specified in the case of a magazine by the license, and in the case of a store by an Order in Council relating to stores; and
- (5) The occupier shall give notice in the case of a magazine to [^{F2}the Health and Safety Executive] , and in the case of a store or registered premises to the local authority, that he intends to carry on such filling of cartridges as is allowed by this section.

Provided that this section shall not, except with the consent of [^{F2}the Health and Safety Executive] , apply to any magazine or store for which a continuing certificate has been obtained under this Act, which consent [^{F2}the Health and Safety Executive] , if satisfied that the filling of cartridges in accordance with this section ought (due regard

Status: Point in time view as at 01/02/1991. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Explosives Act 1875, Section 46. (See end of Document for details)

being had to the safety of the public) to be allowed, may grant either absolutely or upon such conditions as [^{F2}it] may, under the special circumstances of the case, think expedient to secure the safety of the public.

The regulations in this section and any conditions so made by [^{F2}the Health and Safety Executive] as last aforesaid, shall be deemed to be general rules under this Act relating to the magazine, store, and registered premises respectively, and the breach of them shall be punished accordingly.

Textual Amendments

F1 Words substituted by [S.I. 1984/510, reg. 2, Sch. 1](#)

F2 Words substituted by virtue of [S.I. 1974/1885, Sch. 2 para. 3](#)

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