



Explosives Act 1875

1875 CHAPTER 17 38 and 39 Vict

PART I.—LAW RELATING TO GUNPOWDER

Licensing of Factories and Magazines for Gunpowder

6 Application for license for new factory or magazine.

A new factory or magazine for gunpowder shall not be established except on the site and in the manner specified in a license for the same granted under this Act.

An applicant for such a license shall submit to [^Fthe Health and Safety Executive] the draft of a license accompanied by a plan (drawn to scale) of the proposed factory or magazine, and the site thereof (which plan shall be deemed to form part of and to be in this Act included in the expression “the license”).

The draft license shall contain the terms which the applicant proposes to have inserted in the license, and shall specify such of the following matters as are applicable; namely,

- (a) The boundaries of the land forming the site of the factory or magazine and either any belt of land surrounding the site which is to be kept clear, and the buildings and works from which it is to be kept clear, or the distances to be maintained between the factory or magazine, or any part thereof, and other buildings and works; and
- (b) The situation, character, and construction of all the mounds, buildings, and works on or connected with the factory or magazine, and the distances thereof from each other; and
- (c) The nature of the processes to be carried on in the factory and in each part thereof, and the place at which each process of the manufacture, and each description of work connected with the factory or magazine, is to be carried on, and the places in the factory or magazine at which gunpowder and any ingredients of gunpowder, and any articles liable to spontaneous ignition, or inflammable or otherwise dangerous, are to be kept; and
- (d) The amount of gunpowder and of ingredients thereof wholly or partly mixed to be allowed at the same time in any building or machine or any process of the manufacture or within a limited distance from such building or machine,

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Changes to legislation: There are currently no known outstanding effects for the Explosives Act 1875, Section 6. (See end of Document for details)

having regard to the situation and construction of such building, and to the distance thereof from any other building or any works; and

- (e) The situation, in the case of a factory, of each factory magazine, and in the case of another magazine, of each building forming part of such magazine in which gunpowder is to be kept, and the maximum amount of gunpowder to be kept in each factory magazine, and in each such building as aforesaid; and
- (f) The maximum number of persons to be employed in each building in the factory; and
- (g) Any special terms which the applicant may propose by reason of any special circumstances arising from the locality, the situation or construction of any buildings or works, or the nature of any process, or otherwise.

[^{F1}The Health and Safety Executive], after examination of the proposal, may reject the application altogether or may approve of the draft license, with or without modification or addition, and grant to the applicant permission to apply to the local authority for their assent to the establishment of the factory or magazine on the proposed site.

Textual Amendments

F1 Words substituted by virtue of S.I. 1974/1885, **Sch. 2 para. 3**

Modifications etc. (not altering text)

- C1** S. 6 amended (N.I.) by **Prevention of Terrorism (Temporary Provisions) Act 1989 (c. 4, SIF 39:2), s. 24(1)**
- C2** S. 6 amended (N.I.)(temporarily until 15.6.1992 unless continued by Order) by **Northern Ireland (Emergency Provisions) Act 1991 (c. 24, SIF 39:1), s. 59(1)** (with s. 69) (which Act was repealed (25.8.1996) by 1996 c. 22, ss. 62(1), 63(7), **Sch. 7 Pt. I** (with s. 63(3)))
S. 6 amended (N.I.) (*temp.* from 25.8.1996) by 1996 c. 22, **ss. 50(1), 62(1)** (with s. 62(2))

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