

AT the Court at Windsor, the 27th day of November, 1875.

PRESENT.

The QUEEN's Most Excellent Majesty in Council.

IN pursuance of the provisions hereinafter referred to of the Explosives Act, 1875, (hereinafter referred to as the Act,) Her Majesty is pleased, by and with the advice of Her Privy Council, to order and prescribe, with respect to premises which are registered for the keeping of explosive other than gunpowder, whether with or without gunpowder, hereinafter referred to as premises registered for mixed explosives, as follows:—

I. Whereas by Part I. (section 22) of the Act it is provided that for the keeping of gunpowder the general rules thereinafter following shall be observed with respect to registered premises, and in such rules the maximum of gunpowder to be kept is fixed:

And whereas by Part II. (section 39) of the Act it is declared that, subject to the provisions subsequently in such Part II. contained, Part I. of the Act relating to gunpowder shall apply to every other description of explosive in like manner as if the provisions of such Part I. were re-enacted in such Part II. with the substitution of that description of explosive for gunpowder;

And whereas by Part II. (section 40, sub-section 2) of the Act it is provided that in the application of Part I. to premises registered for the keeping of explosive other than gunpowder the general rules prescribed by Order in Council shall be substituted for the general rules in Part I. of the Act:

And whereas by Part II. (section 40, sub-section 6) of the Act it is provided that where any explosive other than gunpowder is allowed to be kept in the same registered premises with gunpowder, the maximum amount of gunpowder to be kept therein shall be the amount prescribed by Order in Council, in lieu of the amount fixed by Part I. of the Act:

And whereas by Part II. (section 40, sub-section 7) of the Act it is provided that where any explosive other than gunpowder is allowed to be kept in the same registered premises with gunpowder, the general rules prescribed by Order in Council shall be observed instead of the general rules in Part I. of the Act:

Now, therefore, in pursuance of the above-mentioned provisions of the Act, Her Majesty is pleased, by and with the advice of Her Privy Council, to order and prescribe that the following general rules shall be observed with respect to premises registered for mixed explosives:—

1. There shall not be kept on any premises registered for mixed explosives any explosive which for the time being is neither authorised (by license or continuing certificate) to be manufactured for general sale, nor authorised by a license to be imported for general sale, or any explosive of the 5th (Fulminate) Class; but this rule shall not extend to any explosive which under section 40, sub-section 9 of the Act, or any Order in Council made in pursuance of such sub-section, may lawfully be imported without any license.

2. With respect to the modes in which explosive shall be kept on premises registered for mixed explosives, the following provisions shall apply:—

(1.) The explosive shall be kept in one or other or both of the following modes:—

Mode A, that is to say, in a building, excavation,

or fireproof safe, which building, excavation, or fireproof safe is detached from any dwelling-house, situated at a safe distance from any highway, street, public thoroughfare or public place, made and closed so as to prevent unauthorised persons having access thereto, and to secure it from danger from without, and exclusively appropriated to keeping explosive: Provided that—

(a.) Such building shall be substantially constructed of brick, stone, or concrete;

(b.) Such excavation shall be formed in solid rock, or earth, or mine refuse not liable to ignition, not opening into, from, or out of any such mine, quarry, tunnel, or underground place as is in use for the carrying on of any work, or for the employment of any person;

(c.) Such fireproof safe shall not be kept in a building contiguous to a dwelling-house.

Mode B, that is to say, in a receptacle (whether or not a fireproof safe) exclusively appropriated to keeping explosive, and placed inside a dwelling-house, or inside any such building as is not itself qualified for the keeping of explosive in Mode A.

(2.) A fireproof safe shall not be used for the keeping of any explosive other than gunpowder or ammunition of the 2nd Division of Class 6 made with gunpowder.

(3.) With respect to a building, excavation, or fireproof safe used in Mode A, and a receptacle used in Mode B, the interior thereof, and the shelves and fittings therein, shall be so constructed or so lined and covered as to prevent the exposure of any iron or steel, or the detaching of any grit, iron, steel, or similar substance, in such manner as to come into contact with the explosive; and such interior, shelves, and fittings shall, so far as is reasonably practicable, be kept free from grit, and otherwise clean; and in the case of any explosive being kept which is liable to be dangerously affected by water, due precautions shall be taken to exclude water therefrom; but this provision, so far as relates to the exposure of iron or steel or similar substance, shall not be obligatory in the case where no explosive is kept other than ammunition of the 1st Division of Class 6.

(4.) Any article or substance of a highly inflammable nature, or any article liable to cause fire or explosion, shall be kept at a safe distance from any explosive, and from any building, excavation, fireproof safe, or receptacle containing the same.

(5.) All explosive exceeding 5 lbs. in amount of the 1st Division of the 6th (Ammunition) Class, or of the 2nd Division of the 7th (Firework) Class, and all other explosive exceeding 1 lb. in amount, shall be kept in a substantial bag, canister, or other case, made and closed so as to prevent any explosive from escaping.

3. The maximum of explosive allowed to be kept on premises registered for mixed explosives is the following:—

If no explosive is kept other than gunpowder and ammunition of the 1st Division of Class 6, 200 lbs. of gunpowder and 500 lbs. of explosive contained in such ammunition.

If fireworks only are kept, 200 lbs. of such fireworks.