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THE EXPLOSIVES LAW (28 of 1975)

(1997 Revision)

Revised under the authority of the Law Revision Law (19 of 1975).

Originally enacted-

Law 28 of 1975- 11th December, 1975.

Revised this 6th day of May, 1997.

EXPLOSIVES LAW

(1997 Revision)

ARRANGEMENT OF SECTIONS

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EXPLOSIVES LAW

(1997 Revision)

1. This Law may be cited as the Explosives Law (1997 Revision). Short title
2. In this Law - Definitions

“Chief Engineer” means the Chief Engineer of the Public Works Department and includes any person acting under his authority;

“Collector” means the Collector of Customs;

“Commissioner” means the Commissioner of Police;

“explosive” means a substance or combination of substances which are chemically or physically unstable or are kept in a manner by which they can readily be rendered unstable so that, upon the application of heat, detonation or other triggering agent or device they are liable violently to disintegrate, chemically or physically, with shattering destructive effect, and includes any such substance or substances declared to be an explosive by regulations made under this Law;

“firearm” has the meaning ascribed to it in the Firearms Law (1995 Revision); 1995 Revision

“Governor” means the Governor in Council; and

“master”, “port” and “vessel” have the meanings ascribed to them in the Customs Law (1997 Revision). 1997 Revision
3. Unless otherwise specifically provided, this Law has no application to- Application
 - (a) firearms;
 - (b) fireworks;
 - (c) Her Majesty’s Armed Forces;
 - (d) explosives held in the control of the Customs, Police or Public Works Departments; or
 - (e) explosives being cargo in any vessel held for delivery to a consignee outside the Islands, where the master of such vessel has complied with all relevant Port and Customs regulations and any instructions issued by the Collector.
4. Whoever, not being authorised in writing by the Chief Engineer in that behalf- Offences and penalties

- (a) has in his possession or control;
- (b) sells;
- (c) buys;
- (d) barter;
- (e) deals in;
- (f) stores;
- (g) imports;
- (h) exports; or
- (i) uses,

any explosives or aids, abets or suffers any person under his control so to do is guilty of an offence and liable on summary conviction to a fine of one thousand dollars and to imprisonment for six months, and the explosive, with respect to which the offence is committed, shall be forfeited to the Crown unless the court, for good reasons, otherwise directs.

Powers of constables

5. Any constable may arrest without warrant any person who has committed or attempted to commit or whom he reasonably suspects has committed or attempted to commit an offence against section 4.

Regulations

6. The Governor may make regulations-

- (a) declaring any substance or combination of substances to be an explosive;
- (b) defining fireworks;
- (c) controlling the import and export of explosives;
- (d) controlling dealings in, storage and use of explosives;
- (e) for the disposal of explosives;
- (f) providing safety precautions for the use, handling and storage of explosives; and
- (g) providing for fees to be charged where storage is undertaken by the Chief Engineer in magazines established by the Public Works Department.

Publication in revised form authorised by the Governor in Council this 6th day of May, 1997.

Carmena H. Parsons
Clerk of Executive Council