EXPLOSIVES

1958 No. 416

The Ammonium Nitrate in Oil Exemption Order, 1958

Made - - - -	14*th March*, 1958
Laid before Parliament	20*th March*, 1958
Coming into Operation	1*st May*, 1958

At the Court at Buckingham Palace, the 14th day of March, 1958

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue of the powers conferred on Her by section fifty of the Explosives Act, 1875(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows:—

1. Ammonium nitrate impregnated with mineral oil and a mixture of ammonium nitrate and any other substance impregnated with mineral oil, being a mixture which before such impregnation is not explosive, shall be prescribed explosives for the purposes of section fifty of the Explosives Act, 1875.

2. Any explosive which by virtue of this Order is a prescribed explosive for the purposes of section fifty of the Explosives Act, 1875, shall be exempt from such of the provisions of the said Act as relate to the manufacture of explosives in any case where the person manufacturing any such explosive has obtained from the Secretary of State a licence authorising him to manufacture that explosive and complies with any requirements contained in that licence.

3. This Order may be cited as the Ammonium Nitrate in Oil Exemption Order, 1958, and shall come into operation on the first day of May, 1958.

W. G. Agnew.

EXPLANATORY NOTE

(*This Note is not part of the Order, but is intended to indicate its general purport.*)

Under section 50 of the Explosives Act, 1875, certain explosives there named and any other explosives prescribed by Order in Council for the purpose are exempted from certain provisions of the Act requiring that explosives be kept only in premises licensed or registered under the Act, and it is not obligatory for certain public authorities and other persons to make byelaws about the conveyance of such exposives. In addition, such

(a) 38 & 39 Vict. c. 17.

explosives may be exempted from any other provisions of the Act, and Article 2 of this Order exempts the explosives named in Article 1 from the provisions of the Act with respect to manufacture, the principal of these provisions being section 4 (as applied to explosives other than gunpowder by section 39) which requires generally that explosives should not be manufactured except at a factory licensed under the Act. The exemption given by Article 2 is made subject to the requirement that a licence should be obtained from the Secretary of State and any requirement imposed by that licence complied with.

1958 No. 230

The Conveyance of Explosives Byelaws, 1958

Made - - - - 12*th February*, 1958
Coming into Operation 17*th February*, 1958

In pursuance of the powers conferred on me by sections thirty-seven and thirty-nine of the Explosives Act, 1875(a), I hereby make the following byelaws:—

1. The proviso to byelaw 2 of the byelaws with respect to the conveyance, loading or unloading of gunpowder and other explosives in certain places made by the Secretary of State under sections thirty-seven and thirty-nine of the Explosives Act, 1875, and dated the twentieth day of September, 1924(b), as altered by Orders of the Secretary of State made under the said sections and dated respectively the eleventh day of December, 1939(c), and the seventh day of February, 1944(d) (which exempts from the restrictions contained in the byelaw on the conveyance of an explosive of certain classes in the same carriage or boat with another explosive not of the same class or division, such conveyance of detonators and electric detonators if the total number of detonators and electric detonators does not exceed 10,000 in all and certain conditions as to packing are complied with) shall have effect as if for the reference therein to 10,000 there were substituted a reference to 20,000.

2. Paragraph (*p*) of byelaw 4 of the aforesaid byelaws dated the twentieth day of September, 1924, as amended by the aforesaid Order of the Secretary of State dated the seventh day of February, 1944, and the Explosives (Conveyance) (Private Railways) Byelaws, 1948(e) (which limits the quantity of explosives to be conveyed in any one carriage to 2,000 lbs. unless the carriage be enclosed in a specified manner so as to protect the explosive against accident by fire from without, in which case the quantity of explosives conveyed in any one carriage is limited, in the case of a carriage on a private railway to 15,000 lbs., and in the case of any one other carriage, to 6,000 lbs.) shall have effect as if for the reference therein to 6,000 lbs. there were substituted a reference to 8,000 lbs.

(a) 38 & 39 Vict. c. 17.
(b) S.R. & O. 1924/1129 (Rev. VII, p. 79: 1924 p. 383).
(c) S.R. & O. 1939/1787 (Rev. VII, p. 79: 1939 I, p. 1573).
(d) S.R. & O. 1944/139 (Rev. VII, p. 79: 1944 I, p. 102).
(e) S.I. 1948/1727 (Rev. VII, p. 79: 1948 I, p. 951).