EXPLOSIVE SUBSTANCE

The Packing of Explosive for Conveyance Rules, 1949

1949 No. 798

Made - - - - 21*st April*, 1949
Coming into Operation 23*rd May*, 1949

Whereas it is provided by section thirty-three of the Explosives Act, 1875(a), that the Secretary of State may from time to time make, and when made, repeal, alter and add to, rules for the purpose of rescinding, altering, or adding to the general rules contained in the said section, and that the rules so made by the Secretary of State shall have the same effect as if they were enacted in the said section:

And Whereas it is provided by paragraph (3) of section forty of the said Act that the Secretary of State may from time to time alter the general rules relating to packing for the purpose of adapting the same to the packing of any explosive other than gunpowder:

And Whereas the Secretary of State on the tenth day of June, 1904, made Rules(b) with respect to the packing of explosive for conveyance, which rescinded the said general rules contained in the said section thirty-three, and all Orders of the Secretary of State with respect to the packing of explosive made under the said section thirty-three or under the said paragraph (3) of the said section forty, and on the eighteenth day of March, 1911(c), and the seventh day of November, 1922(d), made Rules amending the said Rules so made by him:

And Whereas it is expedient that new general rules should be made with respect to the packing of explosive for conveyance:

Now, therefore, in pursuance of the powers conferred on me by section thirty-three of, and by paragraph (3) of section forty of, the Explosives Act, 1875, I hereby make the following Rules:—

General

1. These Rules may be cited as the Packing of Explosive for Conveyance Rules, 1949, and shall come into operation on the twenty-third day of May, 1949.

2. The Interpretation Act, 1889(e), shall apply to the interpretation of these Rules as it applies to the interpretation of an Act of Parliament, and section thirty-eight of the said Act shall apply as if these Rules were an Act of Parliament and as if any Rules repealed by these Rules were Acts of Parliament repealed by an Act of Parliament.

3. The Rules with respect to the packing of explosive for conveyance made by the Secretary of State and dated the tenth day of June, 1904, and the Rules amending the said Rules made by the Secretary of State and dated respectively the eighteenth day of March, 1911, and the seventh day of November, 1922, are hereby repealed and in lieu thereof the following Rules shall be observed with respect to the packing of explosive for conveyance.

(a) 38 & 39 Vict. c. 17. (b) S.R. & O. 1904 (No. 1221) p. 137.
(c) S.R. & O. 1911 (No. 317) p. 52. (d) S.R. & O. 1922 (No. 1240) p. 253.
(e) 52 & 53 Vict. c. 63.

Rules as to the packing of explosive for conveyance

4.—(1) In these Rules—

the expression "authorised explosive" means any explosive for the time being authorised under the Explosives Act, 1875(a), to be manufactured for general sale or to be imported for general sale whether with or without a licence;

the expression "Government inspector" means an inspector appointed by the Secretary of State under and for the purposes of the Explosives Act, 1875;

the expression "inner package" means a substantial case, bag, canister or other receptacle, so made and closed as to prevent any explosive from escaping;

the expression "outer package" means a box, barrel, case or cylinder of wood, metal or other solid material, of such strength, construction and character that it will not be broken or accidentally opened, nor become defective or insecure whilst being conveyed, and will not allow any explosive to escape;

the expression "propellant" means an authorised explosive comprised in Class III adapted and intended exclusively for use as a propelling charge in cannon or small arms.

(2) In these Rules any reference to a class of explosive or to a division of a class, either generally or to a class or division particularly numbered, shall be construed as a reference to a class or division, or to a class or division so numbered, into which explosives have been classified by any Order in Council made under section one hundred and six of the Explosives Act, 1875, and for the time being in force.

5. The interior of every outer and inner package shall be clean and free from grit.

6. Iron or steel shall not be used in the construction of any outer or inner package unless it is so covered as to prevent it being or becoming exposed:

Provided that this Rule shall not apply to the packing of explosives comprised in Division 1 of Class VI or in Division 2 of Class VII.

7. No outer or inner package shall—

(*a*) contain more than one explosive;

(*b*) contain any other article or substance except for the purpose of packing in accordance with these Rules:

Provided that there may be packed in the same outer package—

(i) an inner package containing a propellant and an inner package containing a different propellant or gunpowder; or

(ii) an inner package containing an explosive comprised in Division 1 of Class VI and any article or substance which is not of an inflammable or explosive nature or liable to cause fire or explosion.

8. Nothing in these Rules shall be deemed to prohibit the use of an inner or outer package in addition to those required to be used by these Rules:

Provided that no such additional package shall be used if it is of a description or type which has been prohibited in writing by a Government inspector from being used for the purpose.

9. An authorised explosive comprised in the class and division, if any, or of the name or description specified in the first column of the Schedule to these Rules shall be packed in accordance with the method specified

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

opposite thereto in the second column of the said Schedule, and the amount of such explosive packed in any one outer package and into any one inner package shall not exceed the quantity, if any, specified opposite thereto in the third and fourth columns of the said Schedule respectively.

10. The following explosives, that is to say:—

(*a*) any explosive other than an authorised explosive,

(*b*) any explosive comprised in Division 1 of Class V which is of such a character that it cannot be packed in a thoroughly wet condition,

(*c*) any explosive comprised in Division 2 of Class V, other than barium tri-nitro-resorcinate, lead di-nitro-resorcinate, lead tri-nitro-resorcinate and tetrazene, and

(*d*) fuseheads comprised in Division 2 of Class VI,

shall be packed in accordance with such method as a Government inspector may in writing have required with respect to that explosive, and any conditions with respect to the packing which a Government inspector deems necessary to meet the special requirements of the case may be imposed by him and shall be complied with.

11.—(1) On the outside of the outermost package there shall be displayed in conspicuous characters by means of a brand or securely attached label or other method the following marking, that is to say, the word "Explosive", the name of the explosive, the number of the class and division, if any, in which it is comprised and the name of the manufacturer or sender:

Provided that—

(*a*) in the case of cartridges or charges for cannon, shells, mines, blasting or other like purpose which do not contain their own means of ignition, the marking displayed shall be that which would be required for the explosive therein if it were not made up as such cartridge or charge;

(*b*) in the case of safety fuze or gunpowder, the word "Explosive" and the number of the class and division may be omitted.

(2) In addition to the markings required by paragraph (1) of this Rule to be displayed, there shall be displayed in the same manner the following markings, that is to say:—

(*a*) in the case of explosives comprised in Class III or IV, the date of manufacture or issue from the factory or such sign indicating either date as may be approved by a Government inspector;

(*b*) in the case of explosives comprised in Division 1 of Class VI, other than safety fuze, the words "Not liable to explode in bulk".

(3) Where more than one explosive is contained in the same outer package, there shall be a separate marking displayed in respect of each explosive.

12. Exemption from any provision of these Rules may be granted by special authority, and any such authority may be granted on such conditions as it is, in the opinion of a Government inspector, necessary to impose in the circumstances, and any conditions so imposed shall be complied with.

In this Rule the expression "special authority" means a written authority given by a Government inspector in any special case.

J. Chuter Ede,
One of His Majesty's Principal Secretaries of State.

Home Office,
Whitehall.
21st April, 1949.

SCHEDULE Rule 9

Class or Explosive	Method of Packing	Maximum amount in any one outer package	Maximum amount in any one inner package
Class I	In an inner as well as an outer package except where the weight of explosive to be conveyed in one load is not more than 5 lb. when an inner package is not required.	When gunpowder and a propellant are packed together, 50 lb., otherwise 100 lb.	When gunpowder and a propellant are packed together, 25 lb., otherwise 100 lb.
Class II	As for Class I	50 lb.	50 lb.
Class III, Division 1	As for Class I, so however that the inner or outer package or, if there is only an outer package, that package, shall be thoroughly waterproof, and so that no metal shall be used in the construction of any package, except that nails or wire binding coated with or made of brass, zinc or other soft metal may be used for securing the outer package, and wire stitching may be used for securing an inner package if the wire is effectively prevented from coming into contact with the explosive by means of a sheet of stout cardboard or otherwise.	50 lb.	50 lb.
Class III, Division 2, other than— (i) guncotton so wetted with water as to be absolutely uninflammable; (ii) cyclotrimethylene trinitramine (R.D.X.); (iii) pentaerythritol-tetranitrate (P.E.T.N.); and (iv) tri-nitro-resorcinol (styphnic acid).	As for Class I	50 lb.	50 lb.

Class or Explosive	Method of Packing	Maximum amount in any one outer package	Maximum amount in any one inner package
Class III, Division 2 —*cont.*			
Guncotton so wetted with water as to be absolutely uninflammable.	As for Class I, so however that the inner or outer package, or both packages or, if there is only an outer package, that package, shall be of such a nature and so closed as to prevent any material loss of water.	Unlimited	Unlimited
Cyclotrimethylene trinitramine (R.D.X.).	In an inner as well as an outer package, the explosive being so wetted with water that there is not less than 25 per cent. of water by weight in the wet explosive, the inner and outer packages being of such a nature and so closed as to prevent any material loss of water.	50 lb.	50 lb.
Penta-erythritol-tetranitrate (P.E.T.N.).	In an inner as well as an outer package, the explosive being so wetted with water that there is not less than 25 per cent. of water by weight in the wet explosive, the inner and outer packages being of such a nature and so closed as to prevent any material loss of water.	50 lb.	50 lb.
Tri-nitro-resorcinol (styphnic acid).	In an inner as well as an outer package, the explosive being so wetted with water that there is not less than 20 per cent. of water by weight in the wet explosive, the inner and outer packages being of such a nature and so closed as to prevent any material loss of water.	50 lb.	50 lb.
Class IV, Division 1	As for Class III, Division 1 ...	50 lb.	50 lb.
Class IV, Division 2	As for Class I	50 lb.	50 lb.
Class V, Division 1, other than explosives of such character that they cannot be packed in a thoroughly wet condition.	In an inner package, being a bag permeable to water, in a case containing sufficient water to secure that the explosive is kept constantly wet, the case being in an outer package containing sufficient water constantly to surround the case, both the case and the outer package being of such material and so constructed as not to permit the water to escape.	200 lb.	25 lb.

Class or Explosive	Method of Packing	Maximum amount in any one outer package	Maximum amount in any one inner package
Class V, Division 1 —*cont.*			
Explosives comprised in Class V, Division 1, of such character that they cannot be packed in a thoroughly wet condition.	In accordance with a method required under Rule 10 of these Rules.	—	—
Class V, Division 2, other than— (i) barium tri-nitro-resorcinate; (ii) lead di-nitro-resorcinate; (iii) lead tri-nitro-resorcinate; and (iv) tetrazene.	In accordance with a method required under Rule 10 of these Rules.	—	—
Barium tri-nitro-resorcinate; Lead di-nitro-resorcinate; Lead tri-nitro-resorcinate; and Tetrazene.	As for Class V, Division 1, other than explosives of such character that they cannot be packed in a thoroughly wet condition.	120 lb.	15 lb.
Class VI, Division 1, other than bulleted cartridges of a calibre exceeding 0·5 inch.	In an outer package.	Unlimited	—
Bulleted cartridges comprised in Class VI, Division 1 of a calibre exceeding 0·5 inch.	In an outer package so that the point of any bullet cannot come into contact with the cap of any cartridge.	Unlimited	—
Class VI, Division 2, other than— (i) cartridges and charges for cannon, shells, mines, blasting or other like purposes; and (ii) fuseheads.	In an outer package.	100 lb.	—

Class or Explosive	Method of Packing	Maximum amount in any one outer package	Maximum amount in any one inner package
Class VI, Division 2, when made up into cartridges or charges for cannon, shells, mines, blasting or other like purposes.	In like manner as is required for the same explosive when not so made up and, where an inner as well as an outer package is required, the enclosing case of a cartridge or charge shall, if it is within the definition of inner package in these Rules, be deemed to be an inner package, but where an outer package only is employed, shall not be deemed to be an outer package.	Maximum amount allowed for the same explosive when not so made up.	Maximum amount allowed for the same explosive when not so made up.
Fuseheads comprised in Class VI, Division 2.	In accordance with a method required under Rule 10 of these Rules.	—	—
Class VI, Division 3, other than— (i) bulleted cartridges of a calibre exceeding 0·5 inch; and (ii) detonators.	In an inner as well as an outer package.	50 lb.	2 lb. or 10 in number whichever may be the greater.
Bulleted cartridges comprised in Class VI, Division 3 of a calibre exceeding 0·5 inch.	In an inner as well as an outer package, the cartridges being so packed in the inner package that the point of any bullet cannot come into contact with the cap of any cartridge.	50 lb.	2 lb. or 10 in number whichever may be the greater.
Detonators, other than electric detonators.	(*a*) In an inner as well as an outer package, and the inner package, if of metal or other solid material, shall be lined throughout with paper or other soft material: a layer of felt or other soft yielding material shall be placed on top of and underneath the detonators and so secured that both ends of the detonators shall at all times be resting on and be covered by the said layer: the detonators and all spaces in the inner package shall be filled so far as practicable with fine sawdust or other similar material: and, except as provided in paragraph (*b*) below, the inner packages shall be placed inside a substantial case of wood or metal so made and closed as to prevent any of the inner packages from escaping therefrom, and	10,000 in number.	100 in number.

Class or Explosive	Method of Packing	Maximum amount in any one outer package	Maximum amount in any one inner package
Class VI, Division 3 —*cont.*			
Detonators, other than electric detonators. —*cont.*	such case shall be placed inside the outer package in such manner and so secured as to leave a space of not less than 3 inches between the case and every part of the interior of the outer package, and the said space shall either be kept clear with a light framework or battens of wood to keep the said case in position in the outer package, or may be filled with sawdust, straw or other similar material, any outer package, when the number of detonators therein exceeds 5,000, being provided with handles or other suitable contrivance by means of which it can safely and conveniently be carried.		
	(*b*) Where the number to be conveyed in one load does not exceed 1,000, the requirements with regard to placing the inner packages in a case inside the outer package need not be observed.	1,000 in number.	100 in number.
Electric detonators.	In an inner as well as an outer package, any outer package, when the number of detonators therein exceeds 3,000, being provided with handles or other suitable contrivance by means of which it can safely and conveniently be carried.	5,000 in number.	100 in number.
Class VII, Division 1	In an inner as well as an outer package, the inner package being hermetically closed.	20 lb.	1 lb.
Class VII, Division 2	In an outer package.	100 lb.	—

EXPLANATORY NOTE

(This Note is not part of the Rules, but is intended to indicate their general purport.)

These Rules consolidate with amendments the Rules specified in Rule 3. The principal amendments relate to the detailed methods of packing described in the Schedule and are in respect of explosives of Class III, Divisions 1 and 2, Class IV, Division 1 and Class V, Divisions 1 and 2.