



CHAPTER 17.

An Act to amend the Explosives Act, 1875.

A.D. 1923.

[18th July 1923.]

BE it enacted by the King's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1.--(1) Where the Secretary of State is satisfied that owing to the existence of any special circumstances special precautions require to be taken under section twenty-three of the Explosives Act, 1875 (in this Act referred to as the principal Act), for the prevention of accidents by fire or explosion in any such factory, magazine, store, or registered premises as is referred to in that section, or for preventing unauthorised persons having access thereto he may by order prescribe the special precautions to be taken, and any contravention of or failure to comply with the terms of such order shall be deemed to be a breach of that section.

Precautions to be taken by occupiers.
38 & 39 Vict. c. 17.

(2) Without prejudice to any penalty imposed by the said Act, it shall be lawful for the Secretary of State, where he is satisfied that the provisions of any such order are not complied with, to cause steps to be taken to secure compliance therewith, and to recover from the occupier as a debt due to the Crown the expense of taking any such steps.

2.—(1) Section ten of the principal Act (which contains general rules to be observed in every gunpowder

Restriction on employment of

A.D. 1923.
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young
persons in
gunpowder
factories,
magazines,
and stores.

factory and magazine) shall have effect with the substitution of the following general rule for rule (11) thereof—

“(11) A person under the age of eighteen years shall not be employed in or enter any danger building except in the presence and under the supervision of some person of the age of twenty-one years or upwards, and a person under the age of sixteen years, shall not be employed in any such building except in some process which has been declared by an Order made by the Secretary of State to be a process which is not in itself dangerous and except in the presence and under the supervision of some person of the age of twenty-one years or upwards.”

(2) Section seventeen of the principal Act (which contains general rules to be observed in every gunpowder store) shall have effect with the substitution of the following general rule for rule (10) thereof—

“(10) A person under the age of eighteen years shall not be employed in or enter the store except in the presence and under the supervision of some person of the age of twenty-one years or upwards.”

Amendment
of ss. 5
and 22 of
principal
Act.

3. The maximum fine to which a person shall be liable for an offence under section five or for an offence under section twenty-two of the principal Act (which relate to the keeping of gunpowder) shall be either a fine of the maximum amount specified in the relevant section or a fine of one hundred pounds, whichever is the greater; and those sections and any other provisions of the said Act relating thereto shall have effect accordingly.

Byelaws as
respects
dockyard
ports.

4.—(1) The powers of the Minister of Transport to make byelaws under section thirty-four of the principal Act as respects any part of the coastal or tidal waters for which there is no harbour authority may, as respects any dockyard port, be exercised by the Admiralty.

28 & 29 Vict.
c. 125.

(2) In this section the expression “dockyard port” means a dockyard port as defined under the Dockyard Port Regulation Act, 1865, and the powers given by this section shall be in addition to, and not in derogation of, any powers otherwise vested in the Admiralty.

5.—(1) This Act may be cited as the Explosives Act, 1923, and the principal Act and this Act may be cited together as the Explosives Acts, 1875 and 1923. A.D. 1923.
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Short title
and extent.

(2) This Act shall not apply to Northern Ireland.

Printed by Swift (Printing & Duplicating), Ltd., for
SIR PERCY FAULKNER, K.B.E., C.B.

Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament

LONDON: PUBLISHED BY HER MAJESTY'S STATIONERY OFFICE

Price 8d. net

PRINTED IN ENGLAND