



SUPPLEMENT

TO THE

NEW ZEALAND GAZETTE

OF

THURSDAY, JANUARY 11, 1900.

Published by Authority.

WELLINGTON, THURSDAY, JANUARY 11, 1900.

*Regulations for the Inspection, Manufacture, and Storing of Explosives.*

RANFURLY, Governor.

ORDER IN COUNCIL.

At the Government Buildings, at Wellington, this eighth day of January, 1900.

Present:

THE RIGHT HONOURABLE R. J. SEDDON PRESIDING IN COUNCIL.

IN exercise of the powers conferred upon him by "The Explosives Act, 1882," and "The Explosives Act Amendment, 1897," and of all other powers and authorities enabling him in this behalf, His Excellency the Governor of the Colony of New Zealand, acting by and with the advice and consent of the Executive Council of the said colony, doth hereby make the following regulations for the purposes of the said Acts, namely:—

REGULATIONS.

In these regulations,—

The term "explosives" or "any explosive" means and includes "explosives" as defined by "The Explosives Act, 1882":

"Danger building" means and includes any magazine, store, or building in which explosives as herein defined are manufactured, kept, or stored:

"The Minister" means the Minister of Defence, and includes any member of the Executive Council acting for and in the absence of such Minister, or appointed to have charge of the administration of "The Explosives Act, 1882":

"Inspector" or "Inspector of Explosives" means any officer or Inspector appointed under "The Explosives Act, 1882," or "The Explosives Act Amendment Act, 1897," for the inspection or testing of explosives.

PART I.—INSPECTION OF EXPLOSIVES.

*Regulations.*

1. Every magazine, whether public or private, wherein is stored any explosive other than Government property shall at all hours during the working day be open to inspection by an Inspector of Explosives. He may at his discretion open any case or package of explosives therein and remove therefrom such sample of its contents as will enable him to make such chemical or other examination thereof as shall satisfy him of the good and safe condition or otherwise of such explosives. He shall give such orders and directions to the keeper of the magazine regarding the stowage and disposal of the explosives therein contained as may in his judgment appear to be necessary.

2. In case of explosives being found by any Inspector of Explosives to have deteriorated in quality, or suffered chemical change, or become otherwise damaged by long storage, heat, damp, or any other cause affecting their safety or value as explosives, the Inspector shall, subject to the approval of the Minister, and after notifying the owner thereof, remove such explosives from the magazine, and shall at once destroy, or cause to be destroyed, all explosives so condemned; and the owner thereof shall have no claim against the Minister for the value of the explosives so destroyed.

3. If packages containing explosives, stored in a public or private magazine, shall be found by such Inspector to be, in his opinion, so far damaged as to be unfit for their original purpose, he may order the same to be repaired, renewed, or replaced, as he shall think fit, at the cost of the owner thereof; and in case of the owner's refusal or neglect so to do he may cause the necessary repairs to be done at the cost of the owner.

4. Any proprietor or keeper of a magazine refusing to admit an Inspector of Explosives to the magazine under his charge, or neglecting forthwith to obey or carry into effect any order or directions given by an Inspector of Explosives concerning such magazine or its contents, shall be liable to a penalty as hereinafter provided.

5. In the event of any explosives of Class III., whether stored in a public or private magazine, or in the keeping of any person for his own use or for sale, being found to be spoiled, or unfit or unsafe for use, the owner of such damaged explosive shall at once notify the nearest Inspector of Explosives thereof, who shall himself take immediate steps for the destruction or safe disposal thereof, or instruct some competent person so to do, at the cost of the owner.

6. Any owner of explosives of Class I., Class II., Class III., having reason to believe that such explosives in his possession have become unreliable or unsafe, may have the same tested by an Inspector of Explosives, on a payment of 5s. being tendered along with and for each sample to be tested; and the Inspector's report thereon shall be conclusive evidence of the state or condition of such sample.

PART II.—MANUFACTURE OF EXPLOSIVES.

*Regulations.*

1. A factory for the manufacture of explosives shall not be allowed except on the site and in the manner specified in a license for the same granted under these regulations.

2. Applications for licenses for factories must be made to the Minister, and must be accompanied by a draft of the proposed license, including a plan (drawn to scale) of the proposed factory and the site thereof (which plan shall be deemed to form part of and to be in these regulations included in the expression "the license").

3. The draft license shall set forth the conditions which the applicant desires the license to contain, and shall specify such of the following matters as are applicable, namely:—

- (a.) The boundaries of the land forming the site of the factory, and either any belt of land surrounding the site which is to be kept clear, and the buildings and works from which it is to be kept clear, or the distances to be maintained between the factory or any part thereof, and other buildings or works;
- (b.) The situation, character, and construction of all the mounds, buildings, and works on the site of or connected with the factory, and the distances thereof from each other;
- (c.) The nature of the processes to be carried on in the factory and in each part thereof, and the place at which each process of the manufacture, and each description of work connected with the factory, is to be carried on, and the places in the factory at which explosives and any ingredients of explosives, and any articles liable to spontaneous ignition, or inflammable, or otherwise dangerous, are to be kept;
- (d.) The amount of explosives and ingredients thereof, wholly or partially mixed, to be allowed at the same time in any building or machine, or in any process of the manufacture, or within a limited distance from such building or machine, having regard to the situation and construction of such building, and to the distance thereof from any other building or any works;
- (e.) The situation of each factory-magazine, and the maximum amount of explosives to be kept in each factory-magazine;
- (f.) The maximum number of persons to be employed in each building in the factory; and
- (g.) Any special conditions or provisions which the applicant may propose by reason of any special circumstances arising from the locality, the situation, or construction of any buildings or works, or the nature of any process, or otherwise.

4. In forwarding an application for a license, the applicant must also produce evidence to the Minister that the issue of a license will not be contrary to the provisions of any by-law made by the local authority of the district in which it is proposed to establish the factory.

5. The Minister, after examination of the proposal, may reject the application altogether, or may approve of the draft license with or without modification or addition.

6. On the preliminary approval of an application for a license, the applicant shall complete the factory and the arrangement thereof in accordance with the terms of the proposed license, and to the satisfaction of a Government Inspector, before the license is actually issued.

7. Neither the factory nor any part thereof shall be used for any purpose not in accordance with the license.

8. The conditions of the license shall be duly observed, and the manufacture or keeping, or any process in or work connected with the manufacture or keeping, of explosives shall not be carried on except under conditions approved of by an Inspector; and any breach of the conditions of the license shall be deemed to be a breach of these regulations.

9. The factory and every part thereof shall be maintained in accordance with the license; and no material alteration in the factory, either by enlarging or adding to the site, or by externally enlarging or adding to any building thereon, or by altering any mound otherwise than by enlargement, or by making any new work, shall be made except by permission in writing of the Minister. Any alteration so made and sanctioned by the Minister shall be deemed to be part of the license, and the license shall be construed accordingly.

10. The quantity of any explosive or ingredients that may be placed or stored at any one time in any factory, or in any part thereof, shall not exceed such quantity as may be prescribed in the license.

11. Every factory-magazine shall be used only for the keeping of explosives, and the tools or implements for work connected with the keeping of such explosives.

12. The interior of any danger building or magazine, and the benches, shelves, and fittings therein (other than machinery), shall be so constructed, or so lined or 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 that such iron, steel, or grit, or similar substance may come into contact with the explosives or ingredients thereof in such danger building; and the interior of every such danger building, and the benches, shelves, and fittings therein, shall, so far as is reasonably practicable, be kept free from grit and otherwise clean.

13. Every danger building or magazine connected with a factory shall be protected by sufficient lightning-conductors.

14. No charcoal, whether ground or otherwise, or oiled cotton, or oiled rags, or oiled waste, or any articles whatever liable to spontaneous ignition, shall be taken into any danger building except for the purpose of immediate supply and

work or immediate use in such building, and upon the cessation of such work or use shall be forthwith removed.

15. There shall be constantly kept affixed to every danger building or magazine, either outside or inside, in such manner as to be easily read, a statement of the quantities of explosives or ingredients allowed to be in the building, and a copy of these regulations, with the addition of the name of the building, or words indicating the purpose for which it is used.

16. Before any repairs are done to or in any room, or in other part of a danger building, that room or part shall, so far as practicable, be cleaned by the removal therefrom of all explosives, and of any wholly or partly mixed ingredients thereof, and by the thorough washing-out of such room or part; and such room or part of the building, after being so cleaned, shall not be deemed to be a danger building within the meaning of these regulations until explosives, or any wholly or partly mixed ingredients thereof, are again taken into it.

17. Except after such cleaning, all tools and implements used in any repairs to or in a danger building shall be made only of wood, or copper, or brass, or some soft metal or material, or shall be covered with some safe and suitable material.

18. Due provision shall be made, by the use of suitable working-clothes without pockets, suitable shoes, searching, and otherwise, or by some of such means, for preventing the introduction into any danger building of fire, lucifer matches, or any substance or article likely to cause explosion or fire, and for preventing the introduction of any iron, steel, or grit into any part of a danger building where it would be likely to come into contact with explosives, or the wholly or partly mixed ingredients thereof; but this rule shall not prevent the introduction of any artificial light of such construction, position, or character as not to cause any danger of fire or explosion.

19. No person shall smoke in any part of any factory.

20. Every carriage, boat, or other receptacle in which explosives, or any wholly or partly mixed ingredients thereof, are conveyed from one building to another in a factory, or from any such building to any place outside of such factory, shall be constructed without any exposed iron or steel in the interior thereof, and shall contain only the explosives and ingredients, and shall be closed or otherwise properly covered over; and the explosives and ingredients shall be so conveyed with all due diligence, and with such precautions and in such manner as will sufficiently guard against any accidental ignition or explosion.

21. No person under the age of sixteen years shall be employed in or enter any danger building except in the presence and under the supervision of some person of full age.

22. The ingredients in course of manufacture into explosives shall be removed with all due diligence from each danger building so soon as the process connected with those ingredients which is carried on in such building is completed, and all finished explosives shall with all due diligence either be removed to a factory-magazine, or sent away immediately from the factory, and such ingredients and explosives shall be loaded and unloaded with all due diligence.

23. All ingredients to be made or mixed into explosives shall, before being so made or mixed, be carefully sifted for the purpose of removing therefrom, so far as practicable, all dangerous foreign matter.

24. All explosives intended for conveyance from a factory shall be packed in the hereinafter-described manner; and in determining to what class or division any explosive may belong, the classification and division of explosives as gazetted by Order of the Governor in Council under "The Explosives Act, 1882," and its amendments must be strictly observed:—

A. With respect to explosive of the First (Gunpowder) Class,—

(i.) The explosive, if not exceeding 5 lb. in amount, shall be contained in a substantial case, bag, canister, or other receptacle, made and closed so as to prevent the explosive from escaping.

(ii.) The explosive, if exceeding 5 lb. in amount, shall be contained either in a single package or a double package. A single package shall be a box, barrel, or case of such strength, construction, and character as may be for the time being approved by an Inspector of Explosives as being of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow the explosive to escape. If the explosive is packed in a double package, the inner package shall be a substantial case, bag, canister, or other receptacle, made and closed so as to prevent the explosive from escaping; and the outer package shall be a box, barrel, or case of wood or metal, or other solid material, and shall be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow the explosive to escape.

- (iii.) Whatever be the amount of the explosive, the interior of every package, whether single or double, shall be kept free from grit and otherwise clean.
- (iv.) No package, whether single or double, when actually used for the package of explosives, shall be used for any other purpose.
- (v.) There shall not be any iron or steel in the construction of any such single package or inner or outer package, unless the same is effectually covered with tin, zinc, or other suitable material.
- (vi.) The amount of explosive in any single package, or, if there is a double package, in any one outer package, shall not exceed 100 lb., except with the consent of and under conditions approved by an Inspector.
- (vii.) On the outermost package there shall be affixed the word "Gunpowder" in conspicuous characters, by means of a brand or securely attached label or other mark.

**B. With respect to explosives of the Second (Nitrate-mixture) Class,—**

- (i.) The explosive, if not exceeding 5 lb. in amount, shall be contained in a substantial case, bag, canister, or other receptacle, made and closed so as to prevent any explosive from escaping.
- (ii.) The explosive, if exceeding 5 lb. in amount, shall be contained in a double package. The inner package shall be a substantial case, bag, canister, or other receptacle, made and closed so as to prevent any explosive from escaping; and the outer package shall be a box, barrel, or case of wood or metal, or other solid material, and shall be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow any explosive to escape; and the amount of explosive in any one outer package shall not exceed 100 lb., except with the consent of and under conditions approved by an Inspector.
- (iii.) Whatever be the amount of explosive,—
  - (a.) The interior of every package shall be kept free from grit and otherwise clean.
  - (b.) No package, when actually used for the packing of one nitrate-mixture, shall be used for the packing of any other nitrate-mixture, or for any other purpose.
  - (c.) There shall not be any iron or steel in the construction of any package, unless the same is effectually covered with tin, zinc, or other suitable material.
  - (d.) On the outermost package there shall be affixed in conspicuous characters, by means of a brand or securely attached label or other mark, the word "Explosive," with the name of the explosive, followed by the word "Nitrate-mixture," and the name and address of the owner or sender.

**C. With respect to explosive of the Third (Nitro-compound) Class,—**

- (i.) The explosive, if not exceeding 5 lb. in amount, shall be contained in a substantial case, bag, canister, or other receptacle, made and closed so as to prevent any explosive from escaping.
- (ii.) An explosive of the First Division, if exceeding 5 lb. in amount, shall be contained in a double package. The inner package shall be a substantial case, bag, or covering, without any metal in the construction thereof, and so made and closed as to prevent any explosive from escaping, and no one of such packages shall contain more than 10 lb.; and the outer package shall be a box, barrel, or case of wood or other solid material (other than metal), and shall be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow any explosive to escape. The inner or outer package, as above described, or both, shall be thoroughly waterproof; and the amount of explosive in any one outer package shall not exceed 50 lb., except with the consent of and under conditions approved by an Inspector.
- (iii.) An explosive of the Second Division, if exceeding 5 lb. in amount, shall be contained in a double package. The inner package shall be a substantial case, bag, canister, or other receptacle, made and closed so as to prevent any explosive from escaping; and the outer package shall be a box, barrel, or case of wood or metal, or other solid material, and shall be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow any explosive to escape; and the amount of explosive in any one outer package shall not exceed 50 lb., except with the consent of and under conditions approved by an Inspector.

- (iv.) Whatever be the amount of explosive, and to whatever division it belong,—

- (a.) The interior of every package shall be kept free from grit and otherwise clean.
- (b.) No package, when actually used for the packing of one nitro-compound, shall be used for the packing of any other nitro-compound, or for any other purpose.
- (c.) There shall be no iron or steel in the construction of any inner or outer package, unless the same is effectually covered with tin, zinc, or other suitable material.
- (d.) On the outermost package there shall be affixed in conspicuous characters, by means of a brand or securely attached label or other mark, the word "Explosive," with the name of the explosive, followed by the words "Nitro-compound, Division 1" (or 2, as the case may be), and the name and address of the owner or sender.

**D. With respect to the explosive of the Fourth (Chlorate-mixture) Class,—**

- (i.) The explosive, if not exceeding 5 lb. in amount, shall be contained in a substantial bag, canister, or other receptacle, made and closed so as to prevent any explosive from escaping.
- (ii.) The explosive, if exceeding 5 lb. in amount, shall be contained in a double package. The inner package shall be a substantial case, bag, or covering, without any metal in the construction thereof, and so made and closed as to prevent any explosive from escaping, and any one of such packages shall not contain more than 10 lb.; and the outer package shall be a box, barrel, or case of wood or other solid material (other than metal), and shall be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow any explosive to escape; and the amount of explosive in any one outer package shall not exceed 50 lb., except with the consent of and under conditions approved by an Inspector. In addition, the inner or outer package, as above described, or both, shall be thoroughly waterproof.
- (iii.) Whatever be the amount of explosive,—
  - (a.) The interior of every package shall be kept free from grit and otherwise clean.
  - (b.) No package, when actually used for the packing of one chlorate-mixture, shall be used for the packing of any other chlorate-mixture, or for any other purpose.
  - (c.) There shall not be any iron or steel in the construction of any outer package, unless the same is effectually covered with tin, zinc, or other suitable material.
  - (d.) On the outermost package there shall be affixed in conspicuous characters, by means of a brand or securely attached label or other mark, the word "Explosive," with the name of the explosive, followed by the word "Chlorate-mixture," and the name and address of the owner or sender.

**E. With respect to explosive of the Fifth (Fulminate) Class,—**

- (i.) An explosive of the Fulminate Class which is of such a character that it cannot be packed mixed with water, or that danger would arise from such mode of packing, shall be packed in such manner as shall be specially directed by an Inspector.
- (ii.) Any other explosive of the Fulminate Class shall be packed as follows: It shall be packed in bags or coverings of calico, canvas, or other material permeable to water, and containing each not more than 25 lb. of fulminate, and so made and closed as to prevent any explosive from escaping. Such bags or coverings shall be packed in a case containing sufficient water to insure the explosive being kept constantly wet, and such case (hereinafter called "the inner case") shall be packed in an outer case containing sufficient water constantly to surround the inner case; and the inner case and the outer case shall each be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow any fulminate or water to escape; and the amount of explosive in any one outer case shall not exceed 200 lb., except with the consent of and under conditions approved by an Inspector.
- (iii.) No package, when actually used for the packing of one fulminate, shall be used for the packing of any other fulminate, or for any other purpose.
- (iv.) On the outer case there shall be affixed in conspicuous characters, by means of a brand or securely attached label or other mark, the word "Explosive," with the name of the explosive,

followed by the words "Fulminate, Division 1" (or 2, as the case may be), and the name and address of the owner or sender.

**F. With respect to explosive of the Sixth (Ammunition) Class,—**

(i.) An explosive of the First Division shall be contained in a box, barrel, or case of wood, metal, or other solid material, and of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow any explosive to escape.

(ii.) As to explosives of the Second Division,—

(a.) A shell or torpedo containing any explosive material, whether such shell or torpedo be separate or form part of a rocket or other appliance, shall be packed in such manner as may be specially directed by an Inspector with reference to such explosive.

(b.) An explosive material when made up into a cartridge or charge for cannon, shells, mines, blasting, or other like purposes, shall be packed in the manner required for the same explosive material when not so made up: Provided that, where a double package is required, the enclosing case of each such cartridge or charge, if it satisfies the conditions required for the inner package, may be held to be such inner package.

(c.) Any other explosive of the Second Division shall be packed in a box, barrel, or case of wood, metal, or other solid material, and of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow any explosive to escape; and any one such package shall not contain more than 100 lb. of ammunition, except with the consent of and under conditions approved by an Inspector.

(iii.) An explosive of the Third Division shall be packed in a double package. The inner package shall be a substantial case, bag, canister, or other covering, made and closed so as to prevent any explosive from escaping, and shall not contain more than 2 lb. of such explosive. The outer package shall be a box, barrel, or case of wood, metal, or other solid material, and shall be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow any explosive to escape; and any one such outer package shall not contain more than 50 lb., except with the consent of and under conditions approved by an Inspector: Provided that, in the case of detonators, the following general conditions shall be observed, in addition to all other general conditions relating to the packing for conveyance of explosives of the Third Division of the Sixth (Ammunition) Class:—

(a.) The detonators, and the spaces between the detonators, and the spaces between the sides of the inner package and the detonators therein, shall all be filled, as far as practicable, with fine sawdust or other similar material; a layer of cotton wool, or other soft elastic material, shall be placed between each end of each detonator and the interior of the inner package in which the same is placed, in such manner and so secured that both ends of each detonator will rest upon the cotton wool, or other material used in place of cotton wool. Every inner package, if of metal, must be lined throughout with paper or other soft material.

(b.) When the number of detonators to be packed for conveyance exceeds in all 1,000, or when a greater number than 1,000 has, subject to any special conditions, been approved by an Inspector (which he is hereby authorised to do), then, if the number of detonators to be packed for conveyance exceeds the number so approved, all the inner packages containing detonators shall be placed inside a substantial case of wood or metal, made and closed so as to prevent any of the inner packages escaping therefrom; and such case shall be placed inside the outer package required in the case of explosives of the Third Division of the Sixth (Ammunition) Class packed for conveyance, and so secured as to leave a clear space of not less than 3 in. between every part of the interior of such outer package and such inner case, and such clear space may be either filled with sawdust or with straw, or other soft or elastic substance, or may contain a light framework of wood, or wooden battens, so arranged as to keep such case in such position as aforesaid with respect to the outer package.

(c.) The conveyance of detonators is hereby

prohibited, except the same take place subject to the foregoing conditions and restrictions.

(iv.) Whatever be the amount of the explosive, and to whatever division it belong,—

(a.) The interior of every package, whether single or double, shall be kept free from grit and otherwise clean.

(b.) No package, whether single or double, when actually used for the packing of one description of ammunition, shall, except with the consent of and under conditions approved by an Inspector, be used for the packing of any other description of ammunition, or for any other purpose: Provided that, with explosive of the First Division, there may be packed any article not of an inflammable or explosive character, or liable to cause fire or explosion.

(c.) On the outermost package there shall be affixed in conspicuous characters, by means of a brand or securely attached label or other mark, in the case of percussion-caps and of safety-fuse for blasting, the words "Percussion-caps" or "Safety-fuse for Blasting," as the case may be, with the name and address of the owner or sender, and in the case of any other ammunition the word "Explosive," with the name of the explosive, followed by the words "Ammunition, Division 1" (or 2, or 3, as the case may be), and the name and address of the owner or sender; also in the case of cartridges and charges for cannon, shells, mines, blasting, or other like purposes, the name of the explosive material contained in such cartridges or charges shall be given, thus:—

EXPLOSIVE.  
BLASTING-CARTRIDGES CONTAINING DYNAMITE.  
NITRO-COMPOUND, DIVISION 1.

**With respect to explosive of the Seventh (Firework) Class,—**

(i.) An explosive of the First Division shall be contained in a double package. The inner package shall be a substantial canister, case, or other receptacle, hermetically closed, and containing no more than 1 lb. of explosive; and the outer package shall be a box, barrel, or case of wood, metal, or other solid material, and shall be of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow any explosive to escape; and any one outer package shall not contain more than 20 lb., except with the consent of and under conditions approved by an Inspector; and there shall not be any iron or steel in the construction of any such inner or outer package, unless the same is effectually covered with tin, zinc, or other suitable material.

(ii.) An explosive of the Second Division exceeding 5 lb. in weight shall be contained in a box, barrel, or case of wood, metal, or other solid material, and of such strength, construction, and character that it will not be broken or accidentally opened, or become defective or insecure, whilst being conveyed, and will not allow any explosive to escape; and the amount of explosive in any one package shall not exceed 100 lb., except with the consent of and under conditions approved by an Inspector: Provided, however, that, in addition to their being contained in a box, barrel, or case of wood, metal, or other solid material, magic pin crackers shall be packed in numbers not exceeding twelve in stout paper, and each such package shall be placed singly in a box of wood or cardboard, properly secured against escape of explosive.

(iii.) Whatever be the amount of the explosive, and to whatever division it belong,—

(a.) The interior of every package, whether single or double, shall be kept free from grit and otherwise clean.

(b.) No package, whether single or double, when actually used for the packing of fireworks, shall be used for any other purpose.

(c.) On the outermost package there shall be affixed in conspicuous characters, by means of a brand or securely attached label or other mark, the word "Explosive," and the name of the explosive, followed by the words "Fireworks, Division 1" (or 2, as the case may be), and the name and address of the owner or sender.

**H. Any explosive which for the time being is not authorised by license to be manufactured for general sale shall be packed in such manner as may be specially directed by an Inspector.**

25. The occupier of and every person employed in and about the factory shall take all due precaution for the prevention of accidents by fire or explosion in the same, and for preventing unauthorised persons having access to the factory, or any part thereof, or to the explosives therein, and shall abstain from any act whatever which tends to cause fire or explosion, and is not reasonably necessary for the purpose of the work in such factory.

26. No fire or light shall, under any circumstances, be taken inside any building forming part of a factory (other than those specified by an Inspector), nor any light except a lantern approved for that purpose by an Inspector, and such lantern shall be so taken only by the foreman. All persons entering the factory, and before passing within the fencing thereof, shall examine their clothes to see that they have no matches or other dangerous articles in their pockets or about their persons, and the occupier shall satisfy himself that such examination is carefully carried out, and that all persons employed in the factory are duly searched from time to time.

27. The keys of all danger buildings in connection with the factory shall remain in charge of a person duly authorised in writing by the occupier, and shall be at any time available if required by an Inspector.

28. The occupier shall cause to be kept a stock-book for each factory-magazine, showing at all times the quantities in store, and showing also the quantities taken in and out, and the dates and times at which the same are taken in and out, and by whom.

29. No broken or defective cases or boxes containing explosives shall be admitted into the magazines, nor shall any explosive be admitted which is not packed in the manner directed in these regulations. Any explosive which may be spilt shall at once be carefully taken up and destroyed.

30. No tools or instruments of any description shall be taken into a danger building for any purpose, nor used outside the magazines for opening or closing the cases of explosives, except those duly approved by an Inspector and provided for that purpose.

31. The gates of the fences and the doors of the magazines shall be kept securely locked, except during inspection, and at such times as explosives are being taken in or removed.

32. On the approach of a thunderstorm the magazines and other danger buildings shall be closed, and every person engaged in and about them shall be withdrawn therefrom.

33. Any safety-fuse or other explosive, the manufacture or storage of which shall be considered to be unattended with danger, may be exempted from the operations of a part or the whole of these regulations relating to manufacture by order of an Inspector.

34. Every occupier of a factory licensed for the manufacture of explosives shall keep a record of the name and address of each person to whom and the date on which he sells such explosive, together with the description of such explosive, and the quantity thereof sold.

35. The person who applies for and to whom a factory license is issued shall be deemed the occupier.

36. A danger building shall be deemed to be every building in which explosive or any ingredient thereof which either by itself is possessed of explosive properties, or which when mixed with any other ingredient or article also present in such building is capable of forming an explosive mixture or an explosive compound, is kept, or present, or in the course of manufacture, or is liable to be, unless specially exempted by the license or by a written order of an Inspector.

37. Factory-magazine shall mean a building for keeping the finished explosive made in the factory, and includes any building for keeping the partly manufactured explosive, or the ingredients of an explosive, which is mentioned in that behalf in the license.

Notwithstanding anything specified in the foregoing regulations, at the discretion of the Minister, and on receipt by him of a report from the Inspector of Explosives that the applicant is a fit and proper person, and that his premises are suitable for such manufacture, a license may be granted to any registered pharmaceutical chemist to manufacture at his usual place of business any quantity of "coloured fire" not exceeding 5 lb. in weight on any one day. The manufacture of such coloured fire shall be permitted only in a part of the premises separate and distinct from any front shop, and in a room where no fire or light is burning.

Notice of intention to manufacture shall be sent to the nearest Inspector of Explosives one clear day beforehand.

No registered pharmaceutical chemist licensed as above shall have upon his premises at any one time more than 10 lb. weight of "coloured fire," which shall only be stored in canisters of stout tinware, each canister to be of such size as shall hold not more than 2 lb. weight. The said premises are to be open to the Inspector of Explosives any working-day between the hours of 8 o'clock a.m. and 8 p.m.

No registered pharmaceutical chemist licensed as above may sell or deliver "coloured fire" to any child under the age of thirteen years, and the sale of coloured fire by any

other person than a registered pharmaceutical chemist under these exemption clauses is forbidden.

All "coloured fire" of 1 lb. in weight and over, when sold, shall be in a tin canister with a tight-fitting lid.

### PART III.—STORAGE OF EXPLOSIVES.

#### Regulations.

1. A magazine for explosives shall not be allowed except on the site and in the manner specified in a license for the same granted under "The Explosives Act, 1882."

2. In order that the Minister may be in a position to determine upon what conditions he will issue a license for a magazine, all applications to the Minister for licenses for magazines must be accompanied by a draft of the proposed license, and by a plan (drawn to scale) of the proposed magazine and the site thereof (which plan shall be deemed to form part of and to be in these regulations included in the expression "the license").

3. The draft license shall set forth the conditions which the applicant desires the license should contain, and shall specify such of the following matters as are applicable, namely:—

- (a.) The boundaries of the land forming the site of the magazine, and either any belt of land surrounding the site which is to be kept clear, and the buildings and works from which it is to be kept clear, or the distances to be maintained between the magazine or any part thereof, and other buildings or works.
- (b.) The situation, character, and construction of all the mounds, buildings, and works on the site of or connected with the magazine, and the distances thereof from each other.
- (c.) The place at which each description of work connected with the magazine is to be carried on, and the places in the magazine at which explosives and any ingredients of explosives, and any articles liable to spontaneous ignition, or inflammable, or otherwise dangerous, are to be kept.
- (d.) The amount of explosives to be allowed at the same time in any building, or within a limited distance from such building, having regard to the situation and construction of such building, and to the distance thereof from any other building or any work.
- (e.) The situation of each building forming part of such magazines in which explosives are to be kept, and the maximum amount of explosives to be kept in each such building.
- (f.) Any special conditions or provisions which the applicant may propose by reason of any special circumstances arising from the locality, the situation, or construction of any buildings or works, or otherwise.

4. In forwarding an application for a license, the applicant must also produce evidence to the Minister that the issue of a license will not be contrary to the provisions of any by-law made by the local authority of the district in which it is proposed to establish the magazine.

5. The Minister, after considering the application, will either refuse to issue a license, or will approve of the draft license with or without modification or addition.

6. An application to use a hulk or other floating vessel as a magazine for the storage of explosives shall be made, as far as applicable, in the same manner as an application for a magazine, as hereinbefore directed; and the whole hulk or other floating vessel in or on board which explosives are stored shall be deemed to constitute the magazine, and each cabin, hold, and any part of the same in which explosives are kept, or are liable to be so kept, and every other part which may be specified in that behalf in the license, shall be deemed to be a danger building.

7. On the approval of an application for a license, the applicant shall complete the magazine and the arrangement thereof in accordance with the terms of the proposed license, and to the satisfaction of an Inspector, before the license is actually issued.

8. Neither the magazine nor any part thereof shall be used for any purpose not in accordance with the license.

9. The conditions of the license shall be duly observed, and the keeping, or any work connected with the keeping, of explosives shall not be carried on except in accordance with those conditions. If any breach of such conditions occur, the license will be liable to be immediately cancelled; and a breach of any of the conditions of the license shall be deemed also to be a breach of these regulations.

10. The magazine and every part thereof shall be maintained in accordance with the license; and in the case of a magazine on land no material alteration in the magazine, either by enlarging or adding to the site, or by externally enlarging or adding to any building, or by altering any mound otherwise than by enlargement, or by making any new work, shall be made except by the approval in writing of an Inspector. No alterations or additions on any hulk or other floating vessel shall be allowed except with the approval in writing of an Inspector.



11. Every building in which explosives are kept, or are intended to be kept, shall be deemed a danger building, and shall be used only for the keeping of explosives, and the tools or implements for work connected with the keeping of such explosives. The interior of every danger building, and the benches, shelves, and fittings therein, shall be so constructed, or so lined or 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 that such iron, steel, or grit, or similar substance may come into contact with explosives or any ingredients thereof in such danger building; and the interior of every such danger building, and the benches, shelves, and fittings therein, shall, so far as is reasonably practicable, be kept free from grit and otherwise clean.

12. Every danger building shall be protected by sufficient lightning-conductors.

13. No charcoal, whether ground or otherwise, or oiled cotton, or oiled rags, or oiled waste, or any article whatever liable to spontaneous ignition, shall be taken into any danger building.

14. There shall be constantly kept affixed to every danger building, either outside or inside, in such manner as to be easily read, a statement of the quantities of explosives or ingredients allowed to be in the building, and a copy of these regulations to be affixed thereto, and of such part of the license for the magazine as appears to specially apply to such danger building.

15. Before repairs are done to or in any room, or in other part of a danger building, that room or part shall, so far as practicable, be cleaned by the removal therefrom of all explosives, and of any wholly or partly mixed ingredients thereof, and by the thorough washing-out of such room or part; and such room or part of the building, after being so cleaned, shall not be deemed to be a danger building within the meaning of these regulations until explosives, or any wholly or partly mixed ingredients thereof, are again taken into it. Except after such cleaning, all tools and implements used in any repairs to or in any danger building shall be made only of wood, or copper, or brass, or some soft metal or material, or shall be covered with some safe and suitable material.

16. Due provision shall be made, by the use of suitable working-clothes without pockets, suitable shoes, searching, and otherwise, or by some of such means, for preventing the introduction into any danger building of fire, lucifer matches, or any substance or article likely to cause explosion or fire, and for preventing the introduction of any iron, steel, or grit into any part of the magazine where it would be likely to come into contact with explosives, or any wholly or partly mixed ingredients thereof; but this rule shall not prevent the introduction of an artificial light of such construction, position, or character as not to cause any danger of fire or explosion. Due precaution must be taken to exclude water from every danger building.

17. No person shall smoke in any part of the magazine.

18. Every carriage, boat, or other receptacle in which explosives, or any wholly or partly mixed ingredients thereof, are conveyed from one building to another in a magazine, or from any such building to any place outside of such magazine, shall be constructed without any exposed iron or steel in the interior thereof, and shall contain only the explosives and ingredients, and shall be closed or otherwise properly covered over; and the explosives and ingredients shall be so conveyed with all due diligence, and with such precautions and in such manner as will sufficiently guard against any accidental ignition or explosion.

19. No person under the age of sixteen years shall be employed in or enter any danger building except in the presence of, and under the supervision of, some person of full age.

20. Nothing in these regulations shall prevent coal or other fuel being taken on board any hulk or other floating vessel used as a magazine, provided the maximum quantity to be kept on board at any one time is specified in the license, and stored in some safe place with free and sufficient ventilation, and with all due precautions against ignition, whether spontaneous or otherwise, and provided the place where such fuel is to be consumed shall be approved by an Inspector.

21. There shall not be kept in any magazine licensed for the storage of explosives any—

(a.) Explosive of the Fifth (Fulminate) Class.

(b.) Explosive which is not for the time being either authorised to be manufactured for general sale or authorised to be imported.

22. If two or more explosives are kept in the same magazine they shall be separated from each other by such intervening partition of such substance and character, or by such intervening space, as will effectually prevent explosion or fire in the one communicating with the other, subject, nevertheless, to the following qualifications:—

(a.) The various explosives of Class I., Class II., of Class III. (amberite and cordite sporting-ammunition only), of Class VI., all explosives of

the First Division, and such of those belonging to the Second Division as do not contain any exposed iron or steel, may be kept in the same magazine.

(b.) The various explosives of Class III. shall not be kept in the same building with the explosives enumerated under the above section (a), with the exception of amberite and cordite sporting-ammunition, as already provided for, but are to be stored in a separate magazine, which shall be used only for the storage of explosives of Class III.

(c.) Explosives of Class IV. shall not be stored in any magazine.

(d.) Explosives of Class V. (with the exception of the Second Division thereof, the explosives of which shall not be received into any magazine), Class VI., Class VII., may be kept in the same magazine, provided that explosives of the different classes be separated from each other by such intervening partitions or spaces as are described in the first paragraph of this section.

23. The licensee of every magazine, and every person employed in and about the same, shall take all due precaution for the prevention of accidents by fire or explosion in the same, and for preventing unauthorised persons having access to the magazine or to the explosives therein, and shall abstain from any act whatever which tends to cause fire or explosion, and is not reasonably necessary for the purpose of the work in such magazine.

24. Every licensee of a magazine shall, with the sanction of the Minister, make special rules for the regulation of the persons managing or employed in or about such magazine, with a view to secure the observance of these regulations therein, and the safety and proper discipline of the said persons, and the safety of the public.

25. The licensee may, and if required by the Minister shall, with the sanction of the Minister, repeal, alter, or add to any special rules made in pursuance of the preceding clause.

26. No explosive shall be received into any magazine unless the outermost package or covering be branded, labelled, or marked with the name of the explosive contained therein, and the name and address of the manufacturer thereof.

27. While any explosive, other than explosive of the First Division of the Sixth (Ammunition) Class, is being received or delivered, or while the hatches or door of any danger building, or the hatches or coverings of any vessel, barge, or craft, which contains any such explosive are open, no fire, unprotected lights, or smoking shall be allowed; and when any vessel, barge, or craft having on board a fire, other than engine-fire properly banked up, or unprotected lights, is alongside a magazine containing any explosive other than explosive of the First Division of the Sixth (Ammunition) Class, or in its immediate vicinity, no receipt or delivery of explosive shall be carried on, and the hatches or door of any danger building shall not be open.

28. A danger building shall be deemed to be every building or place in which any explosive is kept or present; and every building in which explosive or any ingredient thereof which either by itself is possessed of explosive properties, or which when mixed with any other ingredient or article also present in such building is capable of forming an explosive mixture or an explosive compound, is kept, or present, or in the course of manufacture is liable to be, shall, unless specially exempted by the license or by an order of an Inspector, be deemed to be a danger building.

29. Magazine shall include any building, chamber, hulk, or floating vessel, or place set apart exclusively for the storage of explosives.

30. The person to whom a license has been issued under these regulations shall be called "the licensee," and shall be deemed to be the keeper of the magazine.

31. Wherever in these regulations an explosive is distinguished as belonging to a particular class or division of a class, reference is made to the classification of explosives contained in an order of the Governor in Council made in pursuance of section 17 of "The Explosives Act, 1882," and section 3 of "The Explosives Act Amendment Act, 1897," dated the 6th day of June, 1898.

32. The above regulations shall not apply to magazines erected by the Government solely for the storage of explosives imported for Government use.

33. Any person committing a breach of any of these regulations shall, unless other provision is made to the contrary, be liable to a penalty not exceeding fifty pounds in respect of each offence. And it is hereby declared that these regulations shall come into force on and after the 15th day of January instant.

ALEX. WILLIS,  
Clerk of the Executive Council.

D. 99/3636]