

LAWS OF THE GILBERT ISLANDS
REVISED EDITION 1977

CHAPTER 32

EXPLOSIVES

ARRANGEMENT OF SECTIONS

Section

1. Short title
2. Interpretation
3. Licence to use or sell explosives
4. Holder's licences and dealer's licences
5. General conditions of grant of licences
6. Period of licences
7. Fees
8. Storage of explosives
9. Production of holder's licence upon any sale
10. Obligations of persons to whom dealer's licence is granted
11. Power to enter licensed places
12. Power to enter and search any place
13. Penalty for obstruction
14. Penalties
15. Offences by bodies corporate, etc.

SCHEDULES

An Ordinance to regulate the use and sale of explosives

Commencement: 25th April 1927

1 of 1927
 (Cap. 71 of
 1952)
 7 of 1965
 2 of 1969
 8 of 1971
 9 of 1971
 3 of 1972
 (Cap. 73 of
 1973)

1. This Ordinance may be cited as the Explosives Ordinance. Short title
2. In this Ordinance "explosive"—
 - (a) means gunpowder, nitro-glycerine, dynamite, guncotton, Interpretation
 blasting powder, fulminate of mercury or of other metals,
 coloured fires, and every other substance, whether similar

to those above-mentioned or not, used or manufactured with a view to produce a practical effect by explosion; and

(b) includes fog signals, rockets, percussion caps, detonators, and every adaptation or preparation of an explosive as above defined; but

(c) does not include cartridges for firearms.

Licence to use or sell explosives

Schedule 1

3. (1) No person shall have explosives in his possession or under his control, or use the same, except in pursuance of a licence hereinafter called a holder's licence, and such licence if granted shall be in Form A of Schedule 1.

(2) No person shall import, keep for sale, sell, supply or deal in explosives except in pursuance of a licence, hereinafter called a dealer's licence, and if granted such licence shall be in Form B of Schedule 1.

Holder's licences and dealer's licences
Cap. 56 of 1973

4. The Commissioner of Police may grant a holder's licence to any reputable person, and a dealer's licence to any person who has obtained a licence to keep a store under the provisions of the Licences Ordinance or a local government council by-law.

General conditions of grant of licences

5. Every licence granted under this Ordinance—

(a) shall specify the quantity of explosives not exceeding which the licensee may hold or use or import, keep for sale, sell, supply or deal in, as the case may be; and

(b) shall be personal and not transferable; and

(c) shall be produced by the licensee on the requisition of any police officer; and

(d) may at any time be cancelled by the Commissioner of Police.

Period of licences

6. (1) A holder's licence may be issued for any period not exceeding 6 months and shall contain a statement of the purposes for which the explosives to which it relates may be used.

(2) A dealer's licence may be issued for any period not exceeding 12 months.

Fees
Schedule 2

7. The fee for a holder's licence or dealer's licence shall be at the rate prescribed in Schedule 2.

Storage of explosives

8. All explosives stored or kept under the provisions of this Ordinance shall be stored or kept only in such magazine or other suitable place or places and in such quantities as shall be approved by the administrative officer in charge of the district.

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9. The person to whom a dealer's licence is granted shall not sell or supply explosives to any person who has not obtained a holder's licence and shall require the production of a holder's licence before any sale or supply.

Production of holder's licence upon any sale

10. The person to whom a dealer's licence is granted shall—
- (a) keep a separate sales book in which he shall record the date of each sale of explosives, the name and address of the purchaser and the quantity sold; and
 - (b) indorse on the licence of the purchaser, on the occasion of each and every sale, the quantity of explosives purchased and the date of the purchase; and
 - (c) produce his book of sales when required so to do to any police officer.

Obligations of persons to whom dealer's licence is granted

11. Any police officer, and any public officer authorised in writing by the Commissioner of Police for the purpose, may enter any licensed magazine or place at any time with a view to seeing whether the provisions of this Ordinance or the terms and conditions of the licence issued under the Ordinance are being complied with.

Power to enter licensed places

12. Any police officer, and any public officer authorised in writing by the Commissioner of Police for the purpose, may enter any place or premises where he has reason to suspect that any explosive is concealed or deposited contrary to the provisions of this Ordinance, and may there search for and take possession of any such explosive found in any such place.

Power to enter and search any place

13. Any person who assaults or obstructs or in any way interferes with any officer in the exercise of the powers conferred upon him by this Ordinance, shall be liable on summary conviction to a fine of \$20 or to imprisonment for 3 months.

Penalty for obstruction

14. Unless otherwise provided in this Ordinance, any person who commits a breach of the provisions thereof or of any conditions contained in, indorsed on or attached to a licence granted thereunder, shall be liable on summary conviction to a fine of \$100 or to imprisonment for 6 months, and in addition the court may order the forfeiture and destruction of any explosive the possession of which constitutes an offence under this Ordinance.

Penalties

Offences by
bodies corpo-
rate, etc.

15. When the person guilty of an offence under this Ordinance is a body of persons, whether corporate or unincorporate, every director, manager, secretary and other officer of such body of persons who is knowingly a party to the offence, shall also be guilty of the offence and be liable to the like punishment.

SCHEDULE 1

Form A
(Section 3)

THE GILBERT ISLANDS

HOLDER'S LICENCE

LICENCE TO HOLD AND TO USE EXPLOSIVES ISSUED UNDER THE
EXPLOSIVES ORDINANCE CAP. 32

having paid the prescribed fee of \$2 is hereby licensed to have
in his possession in quantity and to use such not exceeding for the purpose of for
the 6 months ending

Dated at this day of 19
Fee, \$2.

Commissioner of Police

NOTE—Nothing contained in this licence shall be deemed to exempt the licensee from liability for loss or damage caused by the negligent act or omission of the said licensee, or his agent.

Form B
(Section 3)

THE GILBERT ISLANDS

DEALER'S LICENCE

LICENCE TO DEAL IN EXPLOSIVES ISSUED UNDER THE
EXPLOSIVES ORDINANCE CAP. 32

having paid the prescribed fee of \$10 is hereby licensed to
import and keep for sale in quantity for the purpose of sale for 12 months end-
ing

Dated at this day of 19
Fee, \$10.

Commissioner of Police

SCHEDULE 2
(Section 7)

Holder's Licence not exceeding 6 months	\$2
Dealer's Licence not exceeding 12 months	\$10