

CONSOLIDATED TO 30 JUNE 2012

LAWS OF SEYCHELLES

CHAPTER 77

EXPLOSIVES ACT

[1st June, 1966]

Act 36 of 1965.
SI. 95 of 1975.
SI. 104 of 1975.
SI. 72 of 1976.
Act 23 of 1976.
Act 31 of 1980.

ARRANGEMENT OF SECTIONS

1. Short title.
2. Interpretation.
3. Appointment of inspectors.
4. No explosives to be manufactured, imported, sold, dealt in or disposed of without permit.
5. No explosives to be purchased or acquired without permit.
6. Restriction on storage of explosives.
7. Prohibition of conveyance of explosives without permit.
8. Issues of permits to possess explosives.
9. Restriction on possession of explosives.
10. Restriction on use of explosives and blasting materials.
11. Issue of blasting certificates.
12. Validity and extent of permits and authority.
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15. Causing explosion likely to endanger life or property.
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17. Making, etc., explosives under suspicious circumstances.
18. Powers of police officers and inspectors.

19. Regulations.

20. Saving.

1. This Act may be cited as the Explosives Act.

2. In this Act, unless the context otherwise requires,

"Chief Inspector" means the Chief Inspector of explosives appointed under section 3;

"blasting materials" means explosives used for the purpose of blasting;

"explosives" means

- (a) gunpowder, nitro glycerine, dynamite, gelignite, guncotton, blasting powders, fulminate of mercury or of other metals, coloured fires and every other substance, whether similar to those herein mentioned or not, which is used or manufactured with a view to produce a practical effect by explosion;
- (b) any fuse, rocket, detonator or cartridge, and every adaptation or preparation of an explosive as herein defined;
- (c) any other substance, which the Minister may, by notice in the Gazette, declare to be an explosive,

and includes any apparatus, machine, implement or materials used, or intended to be used, or adapted for causing or aiding in causing any explosion in or with any explosives and also any part of any such apparatus, machine or implement; but does not include arms and ammunition in respect of which a licence to possess or to deal in is regulated by any other law;

"Government store" means any place or places appointed by the Chief Inspector by notice in the Gazette for the storage of explosives;

"inspector" means the Chief Inspector or an inspector of explosives appointed under section 3;

"manufacture" means the making and division of any explosive from or into its component parts by any process, the conversion of an explosive into an explosive of another kind and the alteration, fitting for use or repair of, any explosive;

"prescribed" means prescribed by regulations made under this Act;

"regulations" means regulations made under section 19.

3. The President may appoint*, by name or by office, a Chief Inspector of explosives and such inspectors of explosives as to him may seem necessary for carrying out the provisions of this Act, and all such appointments shall be notified in the Gazette.

*G.N. 190 of 1974 Commissioner of Police has been appointed as the Chief Inspector of explosives and Officers in Charge of Police Stations have been appointed inspectors of explosives.

4. (1) No person shall manufacture, import, sell, deal in or otherwise dispose of explosives except under the authority of a written permit issued by the Chief Inspector or of a licence issued in accordance with the regulations and in strict compliance with any conditions or limitations which may be contained in such permit or licence or which may be prescribed.

(2) Any person who contravenes or fails to comply with the provisions of this section or any conditions or limitations prescribed in any permit or licence issued under this section or by the regulations is guilty of an offence and is liable to a fine of two thousand rupees and to imprisonment for three years and the explosives shall be forfeited.

(3) The owner and the occupier of any premises in or on which explosives have been manufactured in contravention of this section shall be deemed to be the manufacturer, unless such owner or occupier (as the case may be) satisfies the court before which he is charged that he was unaware that any such contravention was occurring or had occurred.

5. (1) No person shall purchase or acquire explosives except under the authority of, to the extent authorised and in accordance with any conditions or limitations contained in, a written permit issued by an inspector, and no person shall sell or deliver to any person explosives without the production of such permit by the purchaser or the person to whom such explosives are to be delivered.

(2) Any person who contravenes or fails to comply with the provisions of this section or any conditions or limitations contained in a permit issued under this section is guilty of an offence and is liable to a fine of one thousand rupees and to imprisonment for one year.

6. (1) No person shall keep or store explosives in or on any premises, except a Government store, unless

- (a) the explosives are kept for private use, and not for sale or other disposal, and in accordance with the regulations; or
- (b) the explosives are kept by a person in possession of a licence to deal in explosives issued by the prescribed authority and in accordance with any conditions or limitations attached to that licence or which may be prescribed; or
- (c) the explosives are kept in such manner and in such quantities as may be approved in a written permit issued by the Chief Inspector.

(2) Any person who contravenes or fails to comply with the provisions of this section or any conditions or limitations prescribed in any permit or licence issued under this section or by the regulations, is guilty of an offence and is liable to a fine of one thousand rupees and to imprisonment for one year and the explosives shall be forfeited.

(3) The owner and the occupier of any premises in, at or on which any contravention of this section has occurred, shall be deemed to be the person who kept or stored the explosives, unless such owner or occupier (as the case may be) satisfies the court before which he is charged that he was unaware that any such contravention was occurring or had occurred.

7. (1) No person shall convey explosives or cause them to be conveyed within Seychelles, except under and in accordance with a written permit issued by an inspector:

Provided that no permit shall be required for the conveyance of explosives within any land or property belonging to or occupied by the person conveying or authorising the conveyance of the explosives.

(2) Any person who contravenes or fails to comply with the provisions of this section or of any permit issued under this section is guilty of an offence and is liable to a fine of two thousand rupees and to imprisonment for three years.

8. (1) An inspector may issue a permit to a person to be in possession of explosives to the extent authorised and subject to any conditions or limitations contained in such permit.

(2) An inspector may in a permit issued under this section authorise the holder thereof to supply to his employees or agents for purposes to be stated in the permit the explosives which the holder is allowed to possess under such permit.

9. (1) A person may be in possession of explosives only if -

- (a) he holds a valid licence to deal in explosives issued under paragraph (b) of subsection (1) of section 6; or
- (b) he holds a valid permit to convey explosives issued under subsection (1) of section 7; or
- (c) he holds a valid permit to be in possession of explosives issued under subsection (1) of section 8; or
- (d) he is the employee or agent of a person holding a valid permit to be in possession of explosives to whom authority has been given to supply explosives under subsection (2) of section 8 and has been issued with and uses or holds the explosives in accordance with authority;
- (e) he is authorised so to be in possession under the provisions of the regulations.

(2) Any person who is in possession of explosives otherwise than in accordance with the provisions of this section is guilty of an offence and is liable to a fine of three thousand rupees and to imprisonment for five years and the explosives shall be forfeited.

10. (1) No person shall use explosives except for the purposes and at the places specified in any permit or authority issued in respect thereof.

(2) No person shall use any blasting materials unless he is in possession of a valid blasting certificate issued to him under section 11 or is under the immediate supervision and effective control of the holder of such a certificate.

(3) No person shall allow or suffer any subordinate to use any blasting materials unless such subordinate is the holder of a valid blasting certificate issued to him under section

11 or is under the immediate supervision and effective control of the holder of such a certificate.

(4) Any person who contravenes the provisions of this section is guilty of an offence and is liable to a fine of one thousand rupees and to imprisonment for one year.

11 (1) Application for a blasting certificate shall be made to the Public Works Manager.

(2) No blasting certificate shall be granted or renewed unless the Public Works Manager is satisfied that the applicant is a fit and proper person to be in charge of explosives and competent to conduct blasting operations.

(3) The Public Works Manager may for good and sufficient cause revoke or suspend a blasting certificate.

(4) Any person aggrieved by the decision of the Public Works Manager relating to the issue, refusal, revocation or suspension of a blasting certificate may appeal to the Minister whose decision shall be final.

12. A permit or authority issued under this Act may be issued for one or more transactions, with respect to a particular kind of explosive and a particular amount thereof authority. or may be general, and shall be valid for such period as may be named in the permit or authority unless issued for one or more transactions when it shall expire on the completion of the transactions.

13 (1) Every person having in his possession or under his control any explosives shall take all precautions which, having regard to the purpose for which such explosives are lawfully used, are reasonable to ensure that such explosives are not lost or stolen or are not at any time available to any person not lawfully entitled to possess the same.

(2) Any person who

- (a) fails to comply with the provisions of this section; or
- (b) possessing or having possessed any explosives, refuses or fails, on demand made by a police officer or by an inspector, to give a true account of the location or disposal of such explosives or to produce all relevant permits, licences or other authority issued to him,

is guilty of an offence and is liable to a fine of two thousand rupees and to imprisonment for three years.

(3) In a prosecution for an offence against paragraph (a) of subsection (2), the onus shall lie on the accused to prove that he took all reasonable precautions required to be taken under subsection (1).

14. Any person who buries, submerges or otherwise hides explosives, or abandons explosives, or leaves explosives unattended in such manner and for such period that it is possible for other persons to have access thereto, is guilty of an offence and is liable to a fine of two thousand rupees and to imprisonment for three years.

15. Any person who wilfully and unlawfully causes by any explosives an explosion of a nature likely to endanger life or to cause serious injury to property, whether any injury to person or property has been actually caused or not, is guilty of an offence and is liable to imprisonment for life.

16. Any person who wilfully and unlawfully -

- (a) does any act with intent to cause by any explosives, or conspires to cause by any explosives, an explosion of a nature likely to endanger life or to cause serious injury to property; or
- (b) makes or has in his possession or under his control any explosives with intent by means thereof to endanger life or cause serious injury to property, or to enable any other person by means thereof to endanger life or cause serious injury to property,

is, whether any explosion does or does not take place and whether any injury to person or property has been actually caused or not, guilty of an offence and is liable to imprisonment for fourteen years, and the explosives shall be forfeited.

17. Any person who makes or knowingly has in his possession or under his control any explosives, in such circumstances as to give rise to a reasonable suspicion that he is not making them or does not have them in his possession or under his control for a lawful object, is, unless he can show that he made them or had them in his possession or under his control for a lawful object, guilty of an offence and is liable to imprisonment for fourteen years, and the explosives shall be forfeited.

18 (1) Any police officer or any inspector may, for the purposes of ascertaining whether the provisions of this Act are being complied with,

- (a) enter any premises or place where explosives are manufactured, stored, kept or used, at any hour of the day and night;
- (b) take samples of explosives or any substance resembling explosives in the possession of any person;
- (c) require the occupier or owner of any store or place where explosives are kept or the person in charge or in possession of any explosives to give such information as he may reasonably require;
- (d) stop, detain and search any vehicle which he has reasonable grounds to believe is being used for the conveyance of explosives.

(2) Any police officer or any inspector who has reasonable cause to believe that any explosives found by him are liable to forfeiture under this Act may seize such explosives.

(3) Any person who assaults, resists or wilfully obstructs any police officer or inspector in the due execution of his duty under this section or who fails to supply any information asked for by any police officer or inspector under the provisions or paragraph (c) of subsection (1) is guilty of an offence and is liable to imprisonment for five years.

19 (1) The Minister may make regulations generally for carrying out the objects and provisions of this Act and in particular without prejudice to the generality of the foregoing power, such regulations may provide for

- (a) The fees payable for licences or permits or renewals or duplicates or amendments thereof;
- (b) the returns or information which persons manufacturing, importing, dealing in or using explosives may be called upon to supply;
- (c) the forms to be used for applications, certificates, licences, permits, returns or other documents;
- (d) the procedure to be followed and the information to be given in the case of any application under this Act;
- (e) the classification of different kinds of explosives;
- (f) the manufacture of explosives;
- (g) the construction and licensing of stores and the specifications to which they are to be built;
- (h) the report of and inquiry into accidents;
- (i) the import, handling, packing, transport, purchase, sale, possession, use, storage and destruction of explosives;
- (j) the conditions to be observed by persons engaged in blasting operations;
- (k) anything which may be necessary or expedient in the interest of public safety, the protection of life and property; and
- (l) anything which may be or is required to be prescribed under this Act.

(2) Such regulations may create offences and provide that contravention of or failure to comply with any such regulations shall be an offence and may prescribe the maximum penalties for such offences such maximum not to exceed a fine of one thousand rupees and a period of two years' imprisonment and further may provide that explosives, if any, in relation to which the offence is committed, may or shall be forfeited.

20. Nothing in this Act shall apply to -

- (a) the manufacture, importation, storage, possession, use or conveyance of explosives by -
 - (i) the Defence Force;
 - (ii) the Government of Seychelles and any department thereof;
 - (iii) the Seychelles Police Force;

- (iv) such other person or authority as may be prescribed;
- (b) the purchase, acquisition, possession, use or conveyance of fireworks (including bangers).

LAWS OF SEYCHELLES

EXPLOSIVES ACT

G.N. 193/1966

CHAPTER 77

SUBSIDIARY LEGISLATION

SECTION 2

GOVERNMENT STORES

[30th May, 1966]

The Chief Inspector has appointed -

- (a) The Islet in Port Victoria known as Hodoul Island; and
- (b) Every police station within the Republic,

to be a Government Store.

SECTION 3

G.N. 190/1974

CHIEF INSPECTOR AND INSPECTORS OF EXPLOSIVES

[5th June, 1974]

The Commissioner of Police has been appointed as the Chief Inspector of Explosives and the officers in charge of Police Stations have been appointed as Inspectors of Explosives.

EXPLOSIVES (SAFETY PROVISIONS) REGULATIONS

ARRANGEMENT OF REGULATIONS

SI. 44 of 1979
G.N. 259/1979.

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53. Unauthorized construction cancels licence.
54. Construction for explosives magazine.
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58. Surrounding earthen mound.
59. Security fence.
60. Maximum and minimum thermometer.
61. Tools and equipment.
62. Notices.
63. Magazine keys.
64. Offences and penalty.

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65. Person in charge of magazine.
66. Explosives to be stored in magazine.
67. Explosives not to be buried nor defective explosives kept in a magazine.
68. Quantity not to exceed that authorized and only storage chamber to be used.
69. Security of magazines.
70. Cleanliness of magazines and surroundings.
71. Smoking, naked lights etc. prohibited.

72. Storage book and temperature records.
73. Issue of explosives from a magazine.
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75. Arrangement of cases in magazine.
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89. Equipment, tools, apparatus for firing shots etc.
90. Misuse of equipment.
91. Shot firer to be tested and hold certificate.
92. Application and fee for shot firer's examination.
93. Shot firer's test and examination.
94. Form of shot firer's certificate.
95. Supervision and cancellation of shot firer's certificate.
96. Use of shot firer's boxes.
97. Disposal of surplus explosives and return of boxes and keys.
98. Shot firer on duty to retain keys and boxes to be locked.
99. Shot firer's daily record book.
100. Unmarked delay detonator not to be used.
101. Underwater charges.
102. Responsibility of shot firer.
103. Metal tools not to be introduced in previously fired shot hole.
104. Diameter of cartridge to be less than shot hole.
105. Wooden tools to be used for stemming and charging shot holes.

106. Shot holes to be clean and checked by shot firer before charging.
107. Persons permitted to charge shot holes.
108. Shot hole not to be charged prematurely.
109. Charging not to commence until shot hole passed safe for firing.
110. All shot holes of a round to be drilled before any hole charged.
111. Precautions and time to elapse before re-charging a fired shot hole.
112. One canister only to be opened at a time.
113. Naked light and smoking prohibited near shot hole.
114. Loading shot hole with explosive.
115. No over-charging of a shot hole.
116. Charges in shot holes over 3m to be initiated by detonating fuse.
117. Shot hole to be adequately stemmed.
118. Removing stemming.
119. Removing detonator from charged shot hole prohibited.
120. Removing explosive from charged shot hole prohibited.
121. Surplus explosives to be removed before firing shot hole.
122. Shot firer to fire all shot holes be charged.
123. Electric detonator to be in series.
124. Firing cable to be of sufficient length.
125. Firing cable not to make contact with another cable etc.
126. Only shot firer to connect up cable between charge and firing apparatus.
127. Minimum lengths of safety fuse.
128. Shot firer to determine danger zone and post sentries etc.
129. Sentries not to leave post until directed.
130. Passing danger signs and sentries prohibited.
131. Precautions after firing a shot.
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- 141. Procedure for dealing with mis-fires.
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- 144. Report and record of explosives destroyed.
- 145. Owner to defray cost of explosives destroyed.
- 146. Explosives to be destroyed under supervision and dumping prohibited.
- 147. Destruction of Class III explosive cartridges.
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- 151. Immediate notice to be given of death, injury or damage caused by using explosives.
- 152. Immediate notice to be given of fire or explosion in dealer's premises.
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- 154. After fire or explosion, site and evidence not to be interfered with nor a magazine be rebuilt or used for explosives.
- 155. Immediate notice of occurrence of other explosion to be given.
- 156. Chief Inspector to carry out investigation or order inquiry and persons to assist at inquiry.
- 157. Commissioner of Police to be informed immediately if negligence, malice etc. suspected.
- 158. Powers of persons investigating accidents etc.
- 159. Offences and penalty.

FIRST SCHEDULE

- Form 1. Dealer's licence
- Form 2. Permit to purchase explosives
- Form 3. Permit to import/export explosives
- Form 4. Special/continuous road movement permit
- Form 5. Permit to move and use explosives
- Form 6. Licence to store explosives
- Form 7. Explosives storage book
- Form 8. Application for shot firer's blasting certificate
- Form 9. Shot firer's blasting certificate
- Form 10. Report of mis-fire

SECOND SCHEDULE

- Fees

1 These Regulations may be cited as the Explosives (Safety Provisions) Regulations.

PART I - GENERAL

2 In these Regulations, unless the context otherwise requires –

"authorized explosives" means "explosives" as defined in section 2;

"blasting cartridge" means an authorized explosive of either Class I, II, III or IV made up in cartridge form other than ammunition as defined in the Firearms and Ammunition Act.

"capped fuse" means a length of safety fuse to the end of which a detonator has been attached or crimped;

"chlorate mixture" means any explosive containing chlorate;

"class" in relation to explosives means the relevant class into which explosives are divided in regulation 4;

"detonator" means a solid drawn aluminium or copper tube containing high explosives for use in blasting operations and includes a fuse capped with a detonator;

"detonating fuse" means fuse consisting of high explosive enclosed in a waterproof covering made of textile impregnated or coated with a plastic composition;

"division" in relation to explosives means a division into which classes of explosives are divided under the Explosives Act, 1875, of the United Kingdom;

"explosives magazine manager" means the person appointed -

- (a) under regulation 65 to be in charge of an explosives magazine; or
- (b) under regulation 84 to be permitted to possess, use or convey explosives or cause them to be used or conveyed; or
- (c) for both functions, (a) and (b) hereof;

"fulminate" means any chemical compound or mechanical mixture which, from its great susceptibility to detonation, is suitable for employment in percussion caps or other appliances for developing detonation or which from its extreme sensibility to explosion, and from its great instability (that is to say its tendency to undergo decomposition from very slight exciting causes) is especially dangerous;

"gunpowder" means exclusively gunpowder ordinarily so called consisting of an intimate mixture of saltpetre (potassium nitrate), sulphur and charcoal, such saltpetre not containing as an impurity perchlorate or potash in greater quantity than one percent;

"magazine" and "explosives magazine" means a building constructed and licensed under these Regulations for the storage of explosives;

"mis-fire" includes a partial mis-fire;

"nitrate mixture" means any preparation, other than gunpowder, formed by the mechanical mixture of a nitrate with any form of carbon or with any carbonaceous substance not possessed of explosive properties, whether sulphur be added to such preparation or not and whether such preparation be mechanically mixed with any other non-explosive substance or not;

"nitro-compound" means any chemical compound possessed of explosive properties or capable of combining with metals to form an explosive compound, which is produced by the chemical action of nitric acid (whether mixed or not with sulphuric acid) or of a nitrate mixed with sulphuric acid upon any carbonaceous substance, whether such compound is mechanically mixed with other substance or not;

"percussion cap" means a capsule or case of metal containing less than 38.9 mg. of fulminate, and of which not more than 25 per cent consists of fulminate of mercury or less than 32.4 mg. of any other fulminate; when percussion caps contain anvils or when the cap composition is unprotected by tin foil or other suitable substance they shall be deemed to be detonators;

"safety fuse" means fuse consisting of gunpowder or any other substance that burns at a regular rate, enclosed in a suitable covering and of such a quality that the rate of burning does not vary more than 10 seconds above or below the rate of 90 seconds for each 915 mm. of fuse;

"shot firer" means a person who has satisfied an inspector both by practical test and theoretic examination as to his competence to use explosives and who is in possession of a shot firer's blasting certificate;

"stout case" or "substantial case" means a case of such strength, construction and character that it will not ordinarily break or accidentally open, or become defective or insecure whilst being conveyed or stored and will not allow the explosives to be damaged or escape.

3 The fees which shall be payable in respect of any application, licence, permit or other matters under the Act and these Regulations shall be the fees prescribed in the Second Schedule.

PART II - CLASSIFICATION OF EXPLOSIVES

4 (1) Explosives, for the purpose of these Regulations shall be grouped into six classes as follows:-

Class I	Gunpowder
Class II	Nitrate mixtures

Class III	Nitro-compounds
Class IV	Chlorate mixtures
Class V	Fulminates
Class VI	Explosives of the ammunition group other than those covered by the Firearms and Ammunition Act.

(2) The following divisions of each class of explosives in sub-regulation (1) shall apply -

Class III Division 1 :	Gelignite
Class VI Division 1 :	Safety Fuse
	Division 2 : Detonating Fuse
	Division 3 : Detonators.

(3) When an explosive falls into more than one class it shall be deemed to belong exclusively to the last of the foregoing classes into which it falls.

PART III - DEALING IN AND IMPORT AND EXPORT OF EXPLOSIVES

5 No person shall deal in explosives unless expressly authorized and licensed by the Chief Inspector.

6 An application to deal in explosives shall be made to the Chief Inspector and, subject to him being satisfied that the applicant is in all respect a suitable person with adequate premises and storage facilities available for explosives which are licensed for that purpose under these Regulations, he may upon payment of the prescribed fee grant the applicant a dealer's license.

7 A dealer's licence shall be valid from the day of issue and shall expire on 31st December next following and shall be in accordance with Form 1 in the First Schedule.

8 No person shall import or export any explosives unless expressly authorized by a valid licence issued by the Chief Inspector under these Regulations so to do.

9 An application to import or export explosives shall be made to the Chief Inspector and shall furnish -

- (a) an exact description, class and division number of the explosives;
- (b) the country of manufacture and the name of the country from or to which it is desired to import or export such explosives;
- (c) the net weight of the explosives in kilogrammes, the number of detonators, the length of fuses and cords in metres; and
- (d) such other information, including certification of quality or composition as the Chief Inspector may require.

10 A licence to import or export explosives, as the case may be, shall be valid for a period of 180 days from the date of issue and shall be in accordance with Form 3 in the First Schedule.

11 Consignments of explosives imported may be examined by an inspector who may require such samples as are reasonably necessary for the purpose of analysis and test.

12 No person shall import or export explosives unless such explosives are packed and marked in accordance with these Regulations or as may have been agreed in writing by the Chief Inspector under regulation 13(11).

13 (1) Blasting explosives shall be packed in stout cases of wood or such other durable material as may be approved by the Chief Inspector; the interior packing of the explosives may be either bulk or carton packing.

(2) All cartridges of explosive shall be wrapped cartridges and all cases lined with protective paper.

(3) When bulk packing is adopted, the wrapped cartridges shall be placed directly in the lined wooden box but in the case of carton packing, the wrapped cartridges shall be packed into cardboard cartons protected by waxed paper before being placed in the lined box.

(4) The class of paper used for cartridge wrapping and for lining cases shall be suitable for the purpose and shall provide the best possible degree of protection to the explosive against moisture.

(5) Plain detonators shall be packed in suitable boxes containing not more than 100 detonators which shall be parcelled into paper packages before being placed in a substantial wooden inner case fitted into an outer wooden case in such a way that there is a surrounding 25mm. air-space.

(6) Electric detonators shall be tied into bundles with binding wire and packed into paper bags or cartons before being placed in a stout wooden case; the number of the detonators in a bundle shall depend upon the length of the conducting wires but shall not exceed 10 per bundle and 100 per bag.

(7) Safety fuse, detonating and other cords shall be in coils or reels packed in a substantial case.

(8) Lids of cases shall be securely nailed or screwed down and boxes containing blasting cartridges shall be bound with two bands around the girth of the case.

(9) To facilitate careful handling no case of explosives shall have a gross weight of more than 38 kg.

(10) The outside of a case containing explosives shall be clearly marked with the word "EXPLOSIVES" and there shall also appear thereon in block letters -

(a) the name of the manufacturer;

- (b) the country of origin;
- (c) the Class and Division number of the explosives;
- (d) the brand name and percentage strength;
- (e) the net weight of explosives.

(11) The Chief Inspector may authorize in writing the import or export of explosives which are not packed and marked as required by this regulation if they conform to the relevant regulations of the country in which they were packed and marked or to which they are to be exported and he is satisfied the cases will not ordinarily break or accidentally open or become defective or insecure whilst being conveyed or stored and will not allow the explosives to be damaged or escape.

14 Any person who contravenes any regulation in this Part or fails to comply with a lawful instruction of an inspector shall be guilty of an offence and shall be liable to a fine of R.1,000 and to imprisonment for 2 years and in addition to any fine or imprisonment or in lieu thereof any explosives in relation to which the offence was committed may be forfeited.

PART IV - TRANSPORT OF EXPLOSIVES

15 No person shall transport explosives within Seychelles unless he is in possession of a valid permit which authorizes him to do so ; a permit to transport explosives shall be either -

- (a) a special or continuous road movement permit in accordance with Form 4 in the First Schedule; or
- (b) a permit to move and use explosives in accordance with Form 5 in the First Schedule.

A permit under paragraph (b) may be issued to an authorized shot firer to draw explosives from a licensed magazine in quantities capable of being moved in a portable carrying case from the magazine to a worksite for consumption.

16 An application to transport explosives shall be made to an inspector and shall furnish details of -

- (a) the quantity and class of explosives to be moved;
- (b) the mode of transport;
- (c) the place and date of arrival;
- (d) the name of the consignee; and
- (e) such other information as may be required by the inspector.

17 If the inspector is satisfied that the applicant is the occupier of a licensed magazine or is entitled to use explosives under section 10 and understands the requirements of these Regulations and will comply with them, he may issue the applicant with a movement permit:

Provided that -

- (i) the inspector shall refuse to issue a movement permit if he is satisfied that the proposed transport is to be effected in vehicles or wagons which are unsuitable and insecure or so as to avoid in his opinion the explosives being subjected to extreme variations of temperature; and
- (ii) the express permission of the Chief Inspector has been obtained before movement of explosives in excess of 50 kg. of gelignite or its equivalent are made and the movement permit is made subject to such terms and conditions as he may have specified.

18 A copy of the issue movement permit shall accompany the consignment throughout the whole journey.

19 In the case of a permit issued to an authorized shot firer to move and use explosives, unused explosives shall be returned to the licensed magazine from which they were withdrawn by 16.00 hours on the day of issue; throughout any period the explosives from the magazine are not being used at the authorized worksite, they shall be kept in a secure and locked carrying case which shall be continuously in the possession of the shot firer.

20 Every inspector shall keep a register of all permits he may issue under this Part.

21 No person shall load or unload or cause to be loaded or unloaded a consignment of explosives in the vicinity of a fire or uncovered light and every person loading or unloading a consignment shall exercise all due care in handling the cases so as to prevent shaking or jolting.

22 No person shall smoke in, or in the neighbourhood of, any vehicle in which explosives are being conveyed, or on, to or from which they are loaded or unloaded nor shall any fire be lighted in the vicinity.

23 Only a person authorized by the Chief Inspector who is thoroughly acquainted with these Regulations shall be appointed to supervise the loading, unloading and transportation of explosives; at least two persons shall accompany a vehicle which is carrying explosives.

24 Any vehicle used for the transport of explosives shall be fitted with efficient brakes and shall be in every respect in a safe and serviceable condition; any iron or steel portions of the vehicle which are liable to come in contact with cases or barrels of explosives being carried shall be covered with timber, leather, thick cloth or other suitable material and a tarpaulin or other approved means shall be provided to cover the explosives in transit; the vehicle shall be equipped with an approval, serviceable and efficient chemical fire extinguisher, fitted and mounted in such a position as to be immediately available for use in the event of fire.

25 In addition to the requirements of regulation 24, a powered mechanically propelled vehicle shall not –

- (a) be loaded beyond 75 percentum of the manufacturer's rated carrying capacity;
- (b) be loaded beyond a maximum of 3000 kg. without the written permission of the Chief Inspector so to do;
- (c) carry any lamps other than electrically operated lamps; or
- (d) load or unload any explosives whilst the engine is running.

26 A contractor and an owner of a vehicle used for the transport of explosives shall have a responsibility to ensure that regulations 23 to 25 are complied with.

27 A vehicle authorized to carry explosives shall not convey simultaneously any articles of iron or steel, acids or any inflammable or combustible materials nor shall such a vehicle carry any unauthorized passengers.

28 A red flag measuring at least 45 cm. by 45 cm. shall be affixed to the front and to the rear of a vehicle before loading and during transit and unloading of explosives.

29 Cases containing different classes of explosives packed in cartridges may be loaded together in the same vehicle but detonators and bulk gun-powder shall each be conveyed on separate vehicles.

30 Cartridges of explosive shall be loaded and conveyed either in unopened cases of 25 kg. or, if in lesser amounts, in a locked wooden box packed so as to prevent movement of the cartridges; the box shall be internally clean, free from any iron or steel and marked externally with the word "EXPLOSIVES".

31 Detonators and capped fuse shall be loaded and conveyed either in the unopened containers provided by the manufacturer, or, if in lesser quantities, shall be carefully packed in a locked and padded receptacle of a type approved by an inspector.

32 All containers, cases or barrels of explosives shall be securely roped or otherwise secured, fixed and wedged to the vehicle so as to prevent any movement of the load during transit.

33 An inspector may determine the route to be followed by vehicles carrying explosives and where such a route has been so determined a person transporting or causing explosives to be transported shall follow that route and not any other route.

34 The person in charge of loading, unloading and transportation of explosives shall accompany the consignment at all times and shall be responsible for both its safety and security during the journey but an explosives-magazine manager notwithstanding shall have joint responsibility with him for compliance with this Part in respect of those regulations governing during the loading and unloading of the vehicle from or to a licensed magazine.

35 When a convoy of vehicles carrying explosives exceeds two vehicle, the person in charge of loading, unloading and transportation shall not ride on any of the vehicles conveying explosives but when the convoy consists of two vehicles only he may ride on the rearmost one.

36 Vehicles carrying explosives shall not approach closer to each other than 30 m. vehicles.

37 A vehicle carrying explosives shall not delay or stop unnecessarily at any place where it may cause a public danger nor shall it pass through any residential or built-up housing area unnecessarily.

38 In the event of a thunderstorm, all vehicles carrying explosives shall be halted at a safe distance from inhabited buildings, overhead electricity conductors and trees.

39 If it should be necessary to halt a convoy during the night, all the vehicles containing explosives shall be halted at a distance of at least 500 m. from inhabited buildings and a watch shall be mounted over the vehicles.

40 Explosives shall not be unloaded from a vehicle en route except in the case of emergency or in the event of a breakdown of a vehicle; if it is absolute necessary to unload the whole or any part of the consignment, all possible care shall be taken to protect the explosives from fire and damp; explosives shall not be unloaded and placed near inhabited buildings and the person in charge of the convey shall warn all persons against loitering near any unloaded explosives; the explosives shall be reloaded and the journey continued with the least possible delay; the person in charge of the convoy shall give a written report to the Chief Inspector of the circumstances that gave rise to the unloading and reloading of the explosives en route.

41 On arrival at its destination, a vehicle carrying explosives shall be unloaded and the explosives shall, with minimum delay, be transferred from the vehicle and be checked into the place of storage.

42 From the time any explosives are withdrawn from a store and until they are transferred back to a place of storage, they shall under no circumstances be left unattended at any time by the person in charge of loading, unloading and transportation of the explosives.

43 Any person who contravenes any regulation in this Part or fails to comply with the lawful instruction of an inspector shall be guilty of an offence and liable to a fine of R.1,000 and imprisonment for 2 years.

PART V - LICENSING AND CONSTRUCTION OF EXPLOSIVES MAGAZINES

44 Every magazine for the storage of explosives shall have in respect thereof a valid licence and no such licence shall relate to more than one magazine; a licence shall be signed by the Chief Inspector or a person deputed by him for that purpose.

45 The Chief Inspector shall not license any building as a magazine for the storage of explosives unless he is satisfied that it has been constructed in accordance with the approved

plans and specifications deposited with him and that the applicant is an entirely suitable person to possess a magazine, understands these Regulations and will comply with their requirements.

46 (1) The Chief Inspector may cancel or revoke a magazine licence at any time if there be a breach of these Regulations or of the conditions of the magazine licence.

(2) Any person aggrieved by the cancellation or revocation of a magazine licence may appeal to the Minister.

47 A magazine licence shall not be transferred without the written approval of the Chief Inspector and until the prescribed fee for the such transfer has been paid.

48 A magazine licence and renewals thereof shall be in Form 6 in the First Schedule.

49 The fee to be paid for a magazine licence, a renewal or transfer thereof shall be that prescribed in the Second Schedule.

50 A magazine licence shall state thereon the magazine number, the date of expiry, the maximum quantity and the nature of the explosives to be stored in the magazine at any one time, the name and address of the appointed explosives- magazine manager and any other conditions imposed.

51 (1) An application for permission to erect an explosives magazine and for its subsequent licensing shall be accompanied by -

- (a) a statement indicating the maximum quantity and nature of the explosives it is proposed to store therein;
- (b) three copies of a location plan, drawn to a suitable scale, showing the position of the proposed magazine in relation to neighbouring roads, overhead electricity power lines, buildings and boundaries of properties, together with a written statement of the nature and use of such buildings and properties; the plans shall have drawn thereon, with the proposed magazine building as centre, circles with radii proportionate to the distances prescribed for the quantity of explosives specified in the Table of Safety Distances of regulation 52;
- (c) three copies of a site plan drawn to a scale of not less than 1:250 on which are marked 1 metre contour interval lines of the ground, the site boundary, the plan of the proposed magazine building, its surrounding earthen mound, security fence and the access road to the magazine and any public utility services crossing or within 15m. of the site boundary;
- (d) three copies of a plan or plans drawn to a scale of not less than 1:50 showing the detailed design, construction and specifications of the proposed magazine, the earthen mound, security fencing and access road.

(2) If the application is approved, one copy of the approved plans and specification duly certified as such shall be returned to the applicant for his retention.

(3) An applicant shall not commence construction of an explosives magazine, its surrounding earthen mound, security fence and access road until the plans deposited for its erection have been approved but thereafter he may proceed with the construction strictly in conformity with the approved plans and specification.

52 (1) The following table of distances shall be the basis upon which an application to erect an explosives magazine shall be considered when the magazine is protected by a surrounding earthen mound -

Maximum net quantity of explosives in kilograms to be stored in a proposed magazine	Minimum distance in metres between a proposed magazine and another premises or place	
	Group A*	Group B+
50	23	26
100	23	34
200	26	51
300	34	66
400	42	78
500	47	97
1000	75	150
1500	96	196
2000	114	229
2500	129	260
3000	142	285
4000	164	327
5000	180	363

Group A*	Group B+
(i) Navigable waterway, dock wharf, pier or jetty.	(i) Dwelling house, government and public buildings, church, chapel, college, school, hospital, theatre, cinema or other building or structure where the public are accustomed to assemble.
(ii) Market place, public recreational and sports ground or other open place where the public are accustomed to assemble.	(ii) Shop, factory, warehouse store, timber yard, building or works used for the storage of petroleum products, gas or other inflammable substances.
(iii) Open place of work in another's occupancy.	(iii) Building or works used for the storage or manufacture
(iv) Public highway, road street or thorough fare.	
(v) Private road which is a principal means of access to a church, chapel, col-	

lege, school, hospital or to a factory, river wall, sea wall or reservoir.

of explosives or of articles which contain explosives.

(2) For the purposes of the table in sub-regulation (1) gunpowder shall be considered as equal to half of the quantity of other explosives.

(3) Where it shall be proposed to erect a magazine in the vicinity of an electric powder-line, water main or other public utility service main, the magazine shall be separated therefrom by a horizontal distance of not less than 15m.

(4) Where, in the opinion of the Chief Inspector, the proposed location of a magazine is such as to reduce the danger in case of accident, he may reduce to not less than half the distances in Group B of the table in this regulation for the purpose of its application to such a magazine.

53 (1) The licensee of a magazine shall not erect or construct in the vicinity of a magazine any buildings or structures in such a position as to be in conflict with the conditions under which the magazine was licensed unless the erection or construction has received the approval in writing of the Chief Inspector.

(2) Where, by reason of any such new erection or construction, the situation of the magazine in relation to surrounding premises conflicts with the table of distances in the immediately preceding regulation or with any approved modification thereof, any magazine licence issued shall be deemed to have been cancelled unless or until it is amended by the Chief Inspector.

54 (1) An explosives magazine shall be of solid construction, and may be built in brick or concrete block set in cement mortar, reinforced concrete or other durable material approved by the Chief Inspector.

(2) A floor area of not less than 2.5m² shall be provided for every 1000kg. of explosives stored in cases, together with sufficient working space or gangaways of not less than 1.25m. in width.

(3) There shall be no windows in any explosives magazine.

(4) The height of an explosives magazine from floor to ceiling shall measure at least 2m.

(5) Unless the Chief Inspector has indicated in writing to the contrary, an explosives magazine shall be constructed with at least two separate compartments, namely a storage chamber and a lobby through which alone can access be had to the storage chamber.

(6) All doors fitted in an explosives magazine shall open outwards; the outer doors shall be fabricated from 10mm thick mild steel plate hung on a steel frame securely bedded to the walls and shall be fitted with three different all-brass locks each complete with duplicate keys; the hinges shall be welded to the door and frame; the inner doors and frames shall be of

good quality timber in solid construction; the doors shall be hung on solid brass edge hinges and shall be fitted with two different all-grass locks each complete with duplicate keys.

(7) There shall be no exposed iron or steel in any explosives magazine.

(8) An explosives magazine shall be well ventilated and the temperature inside shall not exceed 35°C; duckboards or trestles provided for stacking cases of explosives shall be arranged so that air can freely circulate.

(9) An explosives magazine shall be provided with a suitable sun-roof or other means of solar protection where this is required to maintain the temperature in the chambers below the maximum permitted.

(10) The walls and ceilings of an explosives magazine shall be completely lined with timber or, with the approval of the Chief Inspector, may be rendered with a suitable hardwall plaster; if the outer wall is constructed of wood or iron, the lining shall be at least 75mm. from the outer wall and the intervening space shall be filled with a non-conducting, non-flammable material.

(11) The immediate surrounds of an explosive magazine shall have adequate provision made for drainage of surface water and the building shall be designed so as to prevent rising damp in the floors and walls.

(12) The outer doors of an explosives magazine shall be clearly inscribed with the words "EXPLOSIVES MAGAZINE" in red paint on a white background together with the official reference number or letter of the magazine; the inner doors giving access to the storage chamber from the lobby shall have the words "CLEAN FLOOR" in white letters or a red background to denote the point beyond which magazine overshoes are to be worn.

55 Electric lighting may be installed where a source of artificial light is required in an explosives magazine. All fitments shall be of dust-tight and spark-proof standards and wiring shall be run in galvanised solid drawn conduit with all connections screwed and sealed; switches shall be double pole with a main switch situated outside the magazine capable of isolating every conductor entering the building.

56 (1) Every explosives magazine shall be equipped with an efficient lightning conductor designed in accordance with the requirements of the British Standards Code of Practice No. 326: 1965 or its equivalent.

(2) A register shall be maintained by the explosives- magazine manager showing measurements obtained by test resistances of all earthing points; such tests shall be conducted by qualified persons under conditions approved by the Chief Inspector and shall be carried out at intervals not exceeding 6 months; irrespective of the method of earthing used, the earth resistance as measured shall not exceed 7ohms.

57 (1) A magazine designed for the storage of 2000 kg. or less of explosives may incorporate as an integral part of the magazine structure an annexe for storing detonators; such annexe shall have a substantial ventilated partition separating it from the main explosives chamber.

(2) For the purpose of sub-regulation (1), a minimum partition width of two 115mm. brick skins or its equivalent with a 230mm. ventilated air space between shall be deemed sufficient for the storage of 1000 detonators and an additional 26mm. of brick and 26mm. of air space shall be provided for each additional 1000 detonators stored up to a maximum stored quantity of 10,000.

(3) Access to a detonator annexe shall only be via separate external doors from those provided for access to the main explosives chamber.

58 Every explosives magazine shall be surrounded by a substantial earthen mound which shall be –

- (a) at least 2m. above the level of the floor of the magazine or to such other height as may be required by the Chief Inspector; and
- (b) at least 900mm wide at the top;

Provided that in an isolated place or where, in the opinion of the Chief Inspector the contours of the ground renders it unnecessary, he may dispense with the requirement that the magazine shall be surrounded by an earthen mound either wholly or in part.

59 An explosives magazine, its earthen mound and so much of the land surrounding it shall be enclosed with a strongly built security fence to prevent the ingress of animals or unauthorized persons. The provision of this regulation may be dispensed with if, in the opinion of the Chief Inspector, the isolation of the place or the magazine's location within an existing fenced security area renders it unnecessary.

60 A reliable maximum and minimum thermometer shall be kept permanently in the storage chamber of every licensed explosives magazine.

61 (1) Tools necessary for opening cases of explosives, a soft brush and magazine overshoes shall be provided for use in the operation of every licensed explosives magazine.

(2) Where an explosives magazine is constructed with a lobby the articles mentioned in sub-regulation (1) shall be kept in the lobby or, in the absence of such a lobby, shall be kept in an adjacent store but on no account shall they be left in the magazine storage chamber.

(3) The tools provided shall be of wood, soft non-ferrous metal or similar material but not of iron or steel, except that a steel screwdriver may be kept for opening cases of explosives with lids fastened by non-ferrous screws.

(4) A minimum of 2 pairs of large magazine overshoes in good condition shall be kept for use in the magazine storage chamber and no person shall be allowed to enter the storage chamber of a magazine unless he first puts on a pair of magazine overshoes or removes his boots or shoes.

(5) The material forming the head of the soft brush provided shall be a material incapable of generating static electricity.

62 (1) Every explosives magazine shall have posted up general rules governing conduct in the magazine, indicating the necessity for the use of overshoes, prohibiting smoking or the carrying of matches and such other regulations as may be required by the Chief Inspector to be posted.

(2) The magazine licence and a statement of the maximum amount and type of explosives allowed in the building shall also be displayed in a prominent position inside the magazine lobby so as to be visible to all persons entering the magazine.

(3) Outside the magazine, a prominent notice shall be displayed in English and French warning trespassers of the danger of unlawful entry and listing the penalties for infringement.

63 (1) The two sets of keys required for every lock fitted in an explosives magazine shall be in the sole possession of the licensee unless he has nominated and appointed an approved person as his explosives-magazine manager who shall then be given custody of one set of keys for operational purposes; the operational set of keys shall be available at any time for use by an inspector for the purpose of inspecting the content of the magazine or for emergency purposes.

(2) The licensee shall retain the duplicate set of keys in a safe place and may be called upon to deliver them up to an inspector in case of emergency.

64 (1) It shall be the duty of every licensee of an explosives magazine to ensure that his magazine complies with this Part and where any magazine does not meet with the requirements or contravenes this Part, the licensee shall be guilty of an offence.

(2) Any person who fails to comply with the requirements of or contravenes this Part shall be guilty of an offence.

(3) A licensee and any person guilty of an offence under this Part shall be liable to a fine of R.1000 and to imprisonment for 2 years.

PART VI - STORAGE OF EXPLOSIVES GENERALLY

65 (1) Every explosives magazine shall be in the charge of an explosives-magazine manager acceptable to the Chief Inspector for that appointment; an explosives-magazine manager shall be fully acquainted with these Regulations and of any special requirements for the storage and handling of explosives and he shall be responsible, *inter alia*, for their due observance in relation to the magazine and for the keeping in English or French of the written records required by regulation 72.

(2) An explosives-magazine manager shall be appointed in writing by the licensee of the magazine or by the duly authorized agent of the licensee or, in the case of an opencast mine, quarry or other works, by the manager thereof but only after the Chief Inspector has signified in writing that the person nominated is acceptable to him.

(3) Any person who fails to appoint an explosives-manager manager as required by this regulation shall himself be deemed to be the duly appointed explosives-magazine manager unless and until such an appointment is made.

66 Explosives shall be stored at all times when not required for use in a licensed explosives magazine properly stored in a constructed for that purpose:

Provided that small quantities may be kept in carrying boxes described in regulation 85(2)(d) and, subject to other conditions prescribed in these Regulations, until 16.00 hours daily.

67 Explosives shall not be buried in the ground for safe keeping and no explosives which have been underground or which may be damp, soiled or in anyway defective shall be kept in or returned to a licensed magazine without the written authority of an inspector having first been obtained:

Provided that explosives or packages which have become damaged, damp, soiled or defective whilst in transit may be placed temporarily in a magazine apart from any other explosives stored therein to await the instructions of an inspector to whom the circumstances shall be immediately reported by the quickest method.

68 (1) No quantity of explosives shall be stored in any not to explosives magazine which is in excess of the quantity authorized on the licence thereof:

Provided that, in case of an emergency, the Chief Inspector may give written sanction to store explosives in excess of the authorized quantity for a period not exceeding 7 chamber days.

(2) The storage chamber of an explosives magazine shall be used exclusively for the storage or explosives and the lobby and passages of the magazine shall not be used for that purpose.

69 (1) Every magazine shall be kept locked at all times unless the explosives-magazine manager is personally supervising necessary operations within it.

(2) An explosives-magazine manager shall ensure, on leaving a magazine that it is securely locked and, in the event of any lock becoming defective, he shall take immediate steps to have the defect remedied and inform the Chief Inspector of the circumstances.

(3) Explosives shall not be left unguarded in a magazine with a defective lock, and during the hours of darkness no explosives shall be stored in such a magazine unless it is provided with police protection.

(4) Whenever, in the opinion of the Chief Inspector, it appears to him necessary for the security of the explosives contained in a magazine, he may direct that the licensee or the explosives-magazine manager engage and post watchmen or security guards for that purpose.

(5) Whenever an explosives magazine has been broken into or there are signs that such an action has been attempted, the matter shall at once be reported by the explosives-magazine manager to the nearest police station and also to an inspector whether there is any deficiency of stock or not.

70 (1) The floors, benches and shelves inside an explosives-magazine shall be swept frequently and shall be kept clean, dry and free from grit.

(2) The surroundings of every magazine shall be kept free from accumulations of inflammable materials; all under-growth and vegetation shall be kept cropped close to the ground for such area around the magazine as the Chief Inspector may require and overhanging trees shall be felled or have their branches removed.

(3) The area between every magazine and its mound shall be kept completely clear of all vegetation and inflammable material.

71 (1) No person shall smoke in or make or have a fire, oil naked lights lamp in or in the vicinity of an explosives etc. magazine nor shall any person take into a magazine any pipe, tobacco, cigarette or matches or any means of striking a light.

(2) Where a magazine is not equipped with a permanent source of artificial lighting and it is subsequently found necessary to use an artificial light inside, such artificial light shall be of a character and construction as may be approved, in writing, by an inspector.

72 (1) An explosives storage book, the pages of which shall be as in Form 7 in the First Schedule shall be kept in English or French by an explosives-magazine manager and in it he shall enter all receipts and issues of explosives, stating from whom they were received and to whom they were issued.

(2) He shall also record in a suitable book approved for the purpose the maximum and minimum temperatures recorded on the thermometer installed in the magazine storage chamber since his last visit and the date and time of the readings.

73 (1) Explosives shall not be issued from any explosives magazine except on the written order of an inspector or upon the signed receipt in the explosives storage book of an authorized shot firer working on the same project as the explosives-magazine manager concerned who shall satisfy himself that the person removing the explosives is known to him and has been provided with a permit to move and use the explosives if such a permit is necessary to convey them from the magazine.

(2) In as far as it is practical, explosives shall be issued for consumption in the same sequence as the date of receipt or manufacture, which shall be marked on the ends of the cases so that the oldest stock is issued and used first.

74 (1) Cases of explosives shall not be opened in the storage chamber of an explosives magazine but, where a lobby is provided, they may be opened in the lobby or alternatively in a workshop provided for making up charges or in the open air.

(2) Cases shall be opened singly for the issue of the explosives so that at any time there is never more than one broken case in the storage chamber of the magazine.

(3) The tools used for opening cases shall be those specified in regulation 61.

75 (1) Cases of explosives shall not be stored in a magazine more than five cases high or 1.75m, whichever is the lesser.

(2) To facilitate turnover of stock and readily admit inspection, cases shall be arranged so that the ends showing the date of manufacture are always visible from the gangways or entrance of the explosives chamber.

(3) Cases shall be stacked on duckboards or trestles and away from the walls of the magazine so that air can freely circulate.

76 (1) A licensee and an explosives-magazine manager shall have responsibility for ensuring that an explosives magazine, its earthen mound, notices and security fence are always kept in a good state of repair and for that purpose shall carry out regular inspections.

(2) No repairs shall be carried out to a magazine whilst explosives are contained therein and until the interior of the building has been thoroughly cleaned by washing out with water.

(3) Where the stock of explosives held in a magazine has been run down to its lowest practical point and repairs can be carried out and completed between sunrise and sunset on one day, an inspector may give conditional consent for the repairs to be undertaken if he is satisfied that the explosives can be safely removed from the magazine into the open air, placed on timber or planks and are protected by a tarpaulin or other suitable cover; in case the repairs shall be of longer duration, an inspector may require the explosives be transferred temporarily to some other approved place of secure storage.

77 (1) A licensee and an explosives-magazine manager shall be responsible for ensuring, by regular inspection of the stock, that all explosives held in a magazine are in good condition.

(2) Any explosives that are found on inspection to have deteriorated, to have become damp, soiled or defective in any way, shall be removed from the magazine and be destroyed in accordance with regulations 146, 147, 148 and 149.

(3) An explosives-magazine manager may accept back for safe storage small quantities of explosives remaining surplus after completion of any work if he is satisfied they are in good condition for return to the magazine.

(4) The cost of disposing of any explosives by destruction or otherwise shall be for the owner thereof.

78 (1) Explosives of every Class shall be stored separately:

Provided that -

(i) explosives of Class I in cartridge form, not being sporting cartridges fitted with percussion caps, and Class II, III and IV and such explosives of Class VI Division 2 as do not contain any exposed iron or steel or are fitted with percussion caps may be kept in the same magazine; and

(ii) safety fuses and cords in unopened cases may be stored in a magazine with any Class of explosives as an inspector may approve in writing.

(2) Except as provided for in regulation 57, detonators, capped fuses and all other explosives of Class VI Division 3 shall not be stored otherwise than in a separate magazine so situated as to prevent sympathetic detonation of adjacent magazines or explosives in the event of an accident.

(3) Explosives of Class V and any authorized explosives held pending authorization shall not be stored with any other class of explosives.

(4) An explosives magazine shall be used solely for the storage of explosives and for no other purpose save as provided for in these Regulations.

(5) Safety fuses may, with the written authority of an inspector, be stored under lock and key in any secure cool and dry place other than a magazine.

(6) Fuse igniters may be kept under lock and key in any dry place provided they are kept separate from other explosives.

79 No person shall loiter or be permitted to loiter in the vicinity of an explosives magazine and the licensee, his explosives-magazine manager or any employee of the licensee shall have power to remove any person found so loitering.

80 No person under the age of 16 years shall be employed in or about any explosives magazine nor shall he be permitted to enter inside the security fence.

81 Any explosives for the storage of which no specific provision has been made in these Regulations shall be stored only in such place and in such manner as may be directed in writing by an inspector.

82 Any explosives-magazine manager or any person who fails to comply with the requirements of this Part shall be guilty of an offence and liable to a fine of R.1,000 and to imprisonment for 6 months.

PART VII - USE OF EXPLOSIVES AND SHOT FIRING

83 (1) An inspector, may, either verbally or in writing, prohibit, restrict or regulate the use of explosives in places where, in his opinion, the close proximity of buildings or other structures may render blasting a danger to life or property or where safe and good practice is not followed.

(2) The use of explosives on or within 100m. of any public road is prohibited except under and in accordance with written approval from an inspector.

84 (1) No person shall possess, use or convey or cause to be permitted or conveyed any explosive for the working of a quarry, possess, use open cast mine, excavation, demolition or for any other purpose unless he has first appointed an explosives-magazine manager who is

acceptable to the Chief Inspector for that appointment and is either in possession of a valid shot firer's blasting certificate himself or engages a qualified shot firer for the purpose of using explosives and firing shots.

(2) A proposed appointment under sub-regulation (1) shall be notified in writing, to the Chief Inspector who shall subsequently convey, also in writing, his acceptance or rejection of the appointment.

(3) Any person who fails to appoint an explosives-manager or has had a proposed appointment rejected by the Chief Inspector shall be deemed to be the duly appointed explosives-magazine manager himself unless and until such an appointment is made.

85 (1) An explosives-magazine manager shall be directly responsible for the custody, safety and security of all explosives stored in a magazine or transported to or from it or used in any quarry, open cast mine, excavation, demolition or for any other purpose:

Provided that when explosives have been properly issued and handed over to an authorized shot firer, the shot firer shall assume responsibility for the custody, safety, proper use and security of the explosives.

(2) An explosives-magazine manager shall have a duty and be responsible -

- (a) for the safety and security at the worksite of every person not being an authorized shot firer whether those persons are under his direct supervision or not, unless, at the time of any contravention of these Regulations or of any special instruction or of an accident, it can be subsequently proved to the satisfaction of a court that any person at the worksite was at the material time operating under the direct supervision and control of an authorized shot firer;
- (b) to promulgate, post up and enforce at the worksite special instructions and rules for the purpose of these Regulations pertaining to the safety and proper discipline of persons employed and for the security of the explosives under his control;
- (c) to ensure that only a qualified shot firer undertakes and supervises blasting operations at the worksite and that the shot firer is in possession of a valid shot-firer's blasting certificate;
- (d) to ensure that every shot firer at the worksite has a minimum of two strong lockable water-proof boxes made of wood with brass fittings, two sets of keys and hinged lids suitable for carrying explosives; such boxes shall be painted red and conspicuously marked in white paint with the words "**EXPLOSIVES**" in black letters;
- (e) to keep safely one set of the keys of the boxes referred to in paragraph (d) and give the other set to the shot firer when he is on duty; and

(f) to ensure that the shot firer's keys to the boxes are returned to him on each occasion the shot firer goes off duty.

86 (1) An explosives-magazine manager may, with the written approval of the Chief Inspector, delegate in writing any part of his responsibilities under these Regulations to another person, in which event a copy of such delegation signed by the explosives-magazine manager and the person accepting the responsibility shall be sent to the Chief Inspector for his safe keeping.

(2) A person accepting delegated responsibility under this regulation shall in respect thereof be regarded in all respects as the explosives-magazine manager for the application of the relevant regulations of these Regulations.

87 (1) Subject to sub-regulation (2), no explosives shall be withdrawn from a magazine nor shall explosives be used, prepared or fired between the hours of 17.00 and 06.30.

(2) Application in writing for exemption from sub-regulation (1) supported by reasons may be made to the Chief Inspector who may grant such exemption if he is satisfied as to the necessity thereof and he may insert such conditions to any exemption granted as he may think fit.

(3) Where the Chief Inspector refuses an application under this regulation an applicant may appeal within 7 days to the Minister whose decision shall be final.

88 (1) Where charges are regularly made up for use in an established quarry, open cast mine, excavation or any other works the Chief Inspector may require a workshop to be erected nearby for that purpose.

(2) A workshop for making up charges shall, notwithstanding regulations 52 and 53, be situated such distance from a magazine as may be approved in writing by the Chief Inspector; it shall be regarded as a danger building and shall be provided with a close-joined wooden floor.

(3) The regulations which shall apply to a workshop for making up charges shall, mutatis mutandis, be those pertaining to an explosives magazine in these Regulations.

89 (1) When and whenever blasting materials are used, the owner of the explosives shall provide the correct and efficient tools and equipment required under these Regulations and the explosives-magazine manager shall take all reasonable steps to ensure that such tools and equipment are properly used for the purpose they are provided and are maintained in good order and repair.

(2) No shot firer shall fire a shot in any quarry, excavation or other project -

- (a) by means of electric shot firing apparatus operated otherwise than by means of a removable handle or key; or
- (b) by means of electric shot-firing apparatus, cable or fuse (as the case may be) other than one provided for the purpose.

(3) A shot firer who is in charge of any electric shot firing apparatus -

- (a) shall retain the removable handle or key in his own possession throughout the period while he is on duty;
- (b) shall ensure that the exploder is of adequate capacity; and
- (c) shall not place the removable handle or key in position in the apparatus until he is about to fire a shot.

(4) If any electric shot firing apparatus appears to be defective or fails to fire any shot or any or all of the shots in any properly connected round at one operation, the shotfirer in charge of it shall not use it further but shall cause it to be returned forthwith to the place appointed for the purpose and shall report the circumstance to the explosives-magazine manager.

90 No person shall misuse or use for another purpose any tools, equipment, apparatus and materials provided by the owner under regulation 89; in particular, shot firing cable shall not be used for any purpose other than shot firing.

91 (1) All persons who are to use explosives and fire shots shall be examined as to their general suitability and competence to do so and shall be in possession of a valid shot firer's blasting certificate.

(2) Only a person in possession of a valid shot firer's blasting certificate shall be allowed to connect up and fire shots.

92 (1) On payment of the fee prescribed in the Second Schedule a person may apply to the Chief Inspector to be tested and examined by an inspector as to his competence for the issue of a shot firer's blasting certificate and the Chief Inspector shall either direct that the test and examination to take place if he is satisfied as to the general suitability and character of the applicant to use explosives and fire shots or shall refuse the application.

(2) Where the Chief Inspector refuses an application under this regulation an applicant may appeal within 7 days to the Minister whose decision shall be final.

93 To obtain a shot firer's blasting certificate an applicant shall satisfy an inspector as to his competence both by practical test and by his knowledge of these Regulations.

94 A shot firer's blasting certificate shall be in accordance with Form 9 in the First Schedule.

95 (1) Where, in the opinion of an inspector, an authorized shot firer, after due warning, persists in handling explosives and firing shots not in accordance with recognised safe practice or in a manner which may endanger life or property or where a shot firer contravenes any of these Regulations, an inspector may, without prejudice to the institution of any proceedings in a court for an offence under these Regulations, immediately suspend and cancel the shot firer's blasting certificate.

(2) A shot firer who has had his shot firer's blasting certificate suspended or cancelled under this regulation may appeal within 28 days to the Minister whose decision shall be final.

96 A shot firer shall place and keep his issue of detonators and safety fuse from an explosive magazine in one of the boxes specified in regulation 85(2)(d) and his other explosives in the second box.

97 (1) Where any explosives are remaining after a shot firer has completed any work they shall either be destroyed under safe conditions or returned to the issuing manager as provided for in regulation 77(3).

(2) A shot firer shall, on completion of his work, ensure that his boxes are left clean and empty and are returned together with the keys thereof to the issuing explosives- magazine manager.

98 Whilst on duty a shot firer shall retain the keys to his boxes on his person and shall keep the boxes securely locked at all times, except when explosives are being inserted therein, removed therefrom or are being inspected.

99 A shot firer shall be responsible for the safety and security of all explosives handed to him for use and, if required by an inspector, shall maintain in English or French a shot firer's daily record book, the pages of which shall be in a suitable form approved by an inspector.

100 A shot firer shall not use any delay detonators unless the number indicating the period of delay is clearly marked on the detonator or on the leads thereof.

101 If explosive charges are to be fired under water, a shot firer shall make and secure the efficient carrying out of the arrangements to ensure that no shot is fired unless -

- (a) the charge is of a water resistant type and protected as far as possible from becoming wet; and
- (b) in the event of a mis-fire, the charge can be readily located and disposed of.

102 A shot firer shall be responsible for the safety of all persons under his direct control assisting him with the charging up and firing of blasting materials or in connection with the use thereof and in particular he shall have responsibility to ensure that the regulations of this Part are not infringed by those persons.

103 No person shall introduce a drill or other tool made wholly or partly of metal into a hole in which a shot has been fired.

104 No person shall charge a shot hole with a cartridge of explosive the diameter of which is not at least 3mm. less than the diameter of that shot hole and due allowance shall be made when detonating fuse is to be used.

105 No person shall -

- (a) for the purpose of charging or stemming any shot hole; or
- (b) for the purpose of testing any shot hole in which there is explosive,

use any tool in the shot hole other than a tool made wholly of wood or any other tool of a type approved for the purpose by the Chief Inspector:

Provided that, if the depth of the shot hole exceed 2 m., the tool may be made of wood with joints made of any suitable non-ferrous material, being a tool so constructed that any such non-ferrous material does not project beyond the general level of the wood and cannot come in contact with any explosive in the shot hole.

106 No person shall begin to charge any shot hole unless it has been thoroughly cleaned out and has been checked for clearance by a shot firer by inserting a stemming rod to the bottom of the hole.

charging.

107 No person shall charge a shot hole unless he is -

- (a) a shot firer; or
- (b) a person doing so under the supervision of a shot firer.

108 No person shall charge a shot hole and no shot firer shall permit a shot hole to be charged, before it is necessary to do so for the purpose of firing a shot.

109 No person shall begin to charge a shot unless he, or in the case of a person under the supervision of a shot firer, the supervising shot firer, has satisfied himself by taking all reasonable precautions that it is so placed and drilled as to be safe for the firing of a shot.

110 No person shall charge a shot hole to be fired as one of a round until all shot holes for that round have been completely drilled.

111 No person shall charge a hole in which a shot has previously been fired unless that hole has been so treated as to ensure that it is cool and that any burning material therein is extinguished and there has elapsed since the firing of that shot,-

- (a) where the hole is to be charged with gunpowder, 2 hours; and
- (b) in any other case 30 minutes.

112 No shot firer shall permit more than one canister or box of explosives to be opened at any one time for the charging of shot holes by him or under his supervision.

113 During the charging of any shot hole and until the shot has been fired, the shot firer concerned shall ensure that no naked light or person smoking is directly above or within 1.25m. in any other direction of the shot hole or any explosive or detonator.

114 No explosive shall be violently or forcibly pressed into a shot hole nor shall it be removed from its wrapping paper.

115 Any person charging or supervising the charging of a shot hole shall, to the best of his judgment, ensure that it is not overcharged having regard to safety and the task to be performed.

116 (1) In respect of shot holes of greater depth than 3m, the explosive charge shall be initiated only by means of detonating fuse; and the end of the fuse shall be threaded through or firmly attached by means of tape, string or thin copper wire to the first cartridge of explosive to be charged into the hole.

(2) After the first cartridge has been lowered to rest on the bottom of the hole the fuse shall be cut off the reel at a point not less than 150mm. beyond the collar of the hole and firmly secured; and the reel shall then be removed to a safe place not less than 2m. from the hole before any further explosive is charged into the hole.

(3) The detonator required for setting off the shot shall not be brought into the immediate blast area until all such shot holes have been charged and connected up and are in every other respect ready for firing.

(4) This regulation shall not apply when shot holes are charged with blasting powder (Class I) or in seismic work or in borehole drilling operations or in tunnel or shaft operations.

117 A person charging a shot hole shall ensure that it is to be adequately stemmed, preferably with material of sandy consistency.

118 No person shall remove any stemming from any charged shot hole otherwise than by means of water.

119 No person shall pull out any detonator lead or fuse from any charged shot hole.

120 No person shall remove any explosive from any charged shot hole except a cartridge of explosive which is protruding out of the mouth of the hole.

121 No shot firer shall fire any shot unless he has ensured that all surplus explosives and detonators have been removed from the vicinity of the shot hole.

122 Each shot firer, unless prevented by circumstances beyond his control, shall fire every shot which has been charged by him or under his supervision and shall do so during the period of his duty during which that shot was charged:

Provided that, in any case in which there is for the time being in force a scheme made by the quarry, project or explosive-magazine manager and approved by an inspector specifying a procedure whereby any shot may be fired by a shot firer who did not charge that shot or supervise the charging thereof, shots may be fired in accordance with the provisions of that scheme.

123 Where a round of shots is to be fired by means of electric shot firing apparatus, the shot firer shall ensure that the detonators are connected in series.

124 No shot firer shall use any cable for firing any shot unless it is of sufficient length to enable him to take proper shelter before firing the shot, being a length which in no case shall be less than 28m.

125 A shot firer who is about to use shot firing cable and electric detonators shall take precautions to check against extraneous electricity entering the shot firing circuit from lightning, static electricity, stray currents, galvanic electricity and electro-magnetic radiation; he shall ensure that the shot firing cable is not in and cannot make contact with any cable or electrical apparatus or is within the Effective Radiated Power of a beamed transmitter.

126 No person, other than the shot firer shall, for the purpose of the firing of any shot by means of electric shot firing apparatus, connect any electrical apparatus or cable to any other electrical apparatus or cable between the explosive charge and the electric shot firing apparatus and no shot firer shall for that purpose connect any shot firing cable to any electric shot firing apparatus unless he has made every other connection required to be made for the said purpose.

127 No shot firer shall fire a single shot by safety fuse less than 1m. in length or any shot in a round by safety fuse less than 1.25m. in length.

128 A shot firer proposing to fire a shot shall, before firing, determine the danger zone likely to be created and no shot firer shall fire any shot unless he has -

- (a) at each entrance to that danger zone either posted a sentry or placed an appropriate fence conspicuously marked with the words "danger" and "shot firing";
- (b) ensured that all persons have withdrawn from that zone or have taken proper shelter; and
- (c) himself taken proper shelter.

129 No person who has been posted as a sentry by a shot firer shall leave the place where he was posted until directed so to do by the shot firer who posted him in person.

130 No person shall pass a danger sign exhibited for the purpose of shot firing without the authority of the shot firer concerned or pass a sentry who has forbidden him to do so.

131 After the firing of any shot, the shot firer who fired it or other competent person appointed by the quarry, project or explosive-magazine manager shall -

- (a) ascertain by a personal examination whether it is safe for ordinary working to be resumed in each working place affected by that shot; and
- (b) ensure that any necessary action is taken to make each such place safe for such working.

132 Where a round of shots has been fired -

- (a) the examination referred to in paragraph (a) of regulation 131 shall not be made before the expiry of 5 minutes;
- (b) the person making the examination shall in the course thereof examine for mis-fires, for sockets in the face, for any explosive remaining in any such socket and, if he has reason to think that any shot may not have completely exploded, for any unexploded charge in the material brought down; and
- (c) if, in the course of making the examination, the person making it finds any explosive remaining in any socket in the face, he shall (if he is the shot firer) forthwith either explode that explosive by means of a fresh primer cartridge or carefully remove it with a suitable tool made wholly of wood, or (if he is not the shot firer) forthwith report the circumstances to the shot firer concerned who shall thereupon take steps in accordance with this paragraph as if he himself had found the said explosive.

133 At any place where debris resulting from a shot or a round of shots is being worked, treated or removed, any worker finding evidence of explosives or detonator wires in or under the debris shall immediately bring the matter to the notice of the other persons in the vicinity and shall forthwith report it to his immediate superior, who shall thereupon close the place to further work pending an examination by a shot firer.

134 A shot shall be treated as a mis-fire if it fails to explode, in the case of a shot being fired (whether or not in conjunction with detonating fuse)-

- (a) by safety fuse and either as a single shot or in a round, after the shot firer has withdrawn after one lighting or attempting to light the safety fuse or any other material used for firing shots therewith; or
- (b) electrically and either as a single shot or in a round, after the firer, having attempted unsuccessfully to fire the shot has followed the procedure described in regulation 135.

135 The procedure referred to in regulation 134(b) is that the shot firer shall -

- (a) disconnect from the shot firing apparatus the removable handle or key and the shot firing cable;
- (b) after waiting 5 minutes, examine the cable and connection for any defect and remedy any defect so found; and
- (c) make a further attempt to fire the shot.

136 In the event of a mis-fire, no person shall approach the shot hole until, if the shot is being fired -

- (a) by safety fuse, there have elapsed from the lighting of or the attempt to light the fuse or any material used for firing shots in conjunction therewith, not less than 30 minutes; or
- (b) electrically, the shot firer has disconnected the removable handle or key and the shot firing cable from the shot firing apparatus, and there have elapsed, from the last attempt to fire the shot, not less than 5 minutes.

137 (1) Two tests shall be applied to shot firing cable, one for insulation and one for continuity; where large and important charges are to be initiated as in tunnel rounds, and in well hole and heading blasts in quarries, the tests shall be made before every blast.

(2) The test for the insulation of a shot firing cable shall be carried out with an approved circuit tester or ohmmeter which shall be connected to one end of the cable with the two conductors at the other end separated; no current shall flow and the resistance shall be infinite.

(3) To test the cable for continuity, the two separated conductors shall be joined and if there is continuity, the circuit tester shall show that the circuit is complete or if an ohmmeter is used it shall record the correct resistance of the shot firing cable.

138 (1) No person shall test a circuit, including a detonator, unless he is adequately protected against a possible explosion.

(2) The current applied to test an electric detonator shall be well below that necessary to fire the detonator and the test shall only be carried out using an approved circuit tester or ohmmeter.

(3) To guard against the effects of an accidental explosion of a detonator whilst it is being tested, the detonator subject to the test shall be placed inside a metal pipe before any electric current is applied.

139 (1) When a shot firing circuit is to be tested, all the regulations in this Part which apply before firing a shot shall be observed.

(2) Only an approved ohmmeter or circuit tester shall be used for testing a shot firing circuit.

(3) All testing shall be carried out from the shot firing point and under no circumstances shall any part of the firing circuit be tested at the blasting face.

(4) When the procedure set out in regulation 135 fails to reveal a fault and if there remains any doubt as to the insulation or continuity of the shot firing cable, the latter shall be disconnected from the firing circuit and tested in the manner described in regulation 137; if no fault is found, the next stage shall be to divide the circuit at the firing face into two halves; the firing circuit tested from the firing point; the faulty half of the circuit shall be successively halved and the test repeated until the faulty detonator is located.

140 (1) The procedure for dealing with a faulty detonator which has been located by the tests prescribed in regulation 139 shall be for the remainder of the firing circuit to be connected up in series leaving out the faulty detonator; the leading wires of the faulty detonator shall have been previously connected by string to a suitable marker so as to facilitate recovery of the primer cartridge after firing the shot.

(2) After firing the shot, a search of the dislodged material shall be made by the shot firer to locate any undetonated cartridges of explosive.

(3) If the material in the vicinity of the mis-fired hole is not dislodged by the blast, recovery of the mis-fired charge shall be attempted by firing relieving holes in the manner described in regulation 141(3).

141 (1) The site of a mis-fired hole shall be exposed by removing the debris by hand or with wooden tools; no ferrous metal tools shall be used in such work.

(2) If gunpowder (Class I explosive) has been charged in the shot hole, the stemming shall be removed with water or, if approved by an inspector, may, in conjunction with the water, be carefully removed with a wooden spoon, copper scraper or other approved non-ferrous instrument; the hole shall afterwards be flooded with water until the charge has become thoroughly saturated.

(3) When any explosives other than Class I have been charged in the shot hole, a relieving hole shall be drilled, under the personal supervision of a shot firer, parallel to, at least 150mm. deeper than, and not nearer to than 500mm. from the mis-fired hole; the relieving hole shall then be charged and detonated and a thorough search shall be made of the resulting debris to recover any unexploded charge from the mis-fire; the process shall be repeated as often as may be necessary until the shot firer or other competent person has satisfied himself in accordance with regulation 131; if a mis-fire contains a detonator the leading wires or fuse thereof shall have been connected by string and attached to a distinctive marker.

(4) Any person drilling a hole to relieve a mis-fire shall ensure that the hole is drilled in such a manner as to avoid touching or otherwise affecting any unexploded detonator or charge in the mis-fire.

142 (1) All mis-fires shall be reported by the shot firer to the Chief Inspector or to an officer deputed by him for the purpose within 24 hours of the occurrence on Form 10 in the First Schedule.

(2) Failure by a shot firer to observe this regulation may result in his blasting certificate being revoked.

143 No person, other than a shot firer having previous experience of such process, shall destroy blasting explosives by burning unless he is under the direct personal supervision of such a shot firer.

144 A description of the type and quantity of any blasting explosives destroyed and the reason for either destruction shall be sent in writing by the person responsible for their

destruction to an inspector and shall also be recorded in the explosives storage book provided for in regulation 72(1); the entry in the explosives storage book shall be dated and signed.

145 When an order is given for the destruction of explosives under these Regulations, no compensation shall be payable to the owner thereof for any explosives so destroyed and the owner shall defray any expenses incurred in connection with the destruction of such explosives.

146 Explosives shall only be destroyed under the supervision of the Chief Inspector or an inspector deputed by him for the purpose, and an experienced shot firer; explosives shall not be dumped at sea, in any lake, creek, river or dam or buried with waste or filling material.

147 (1) (a) Cartridges of defective Class III explosives shall be destroyed by burning.

(b) The cartridges shall be spread in a zig zag row along the ground, preferably in the bottom of a shallow trench excavated for the purpose of which a mat of loose dry paper or other easily ignitable material has been placed.

(c) The end of each cartridge shall rest upon the end of the preceding one to assist upon the end of the preceding one to assist continuity of burning and a small initiating fire shall be lit at the down-wind end of the trench so that burning of the cartridges proceeds against the wind.

(2) To minimize the effect of a possible detonation of the explosives that may occur during burning, cartridges shall normally be destroyed in small lots of 3 kg. but under suitable conditions the maximum quantity at a single burning shall not exceed 25 kg.

(3) The site selected to destroy cartridges by burning shall be as isolated as possible and the minimum distance from buildings and public places that would be observed if the same weight of explosive was being fired as a single shot shall likewise apply when that weight of explosive is burnt.

(4) Persons carrying out destruction of explosives by burning shall observe "mutatis mutandis" the regulations prescribed in this Part for shot firing and shall not approach the burning site from cover until at least 15 minutes have elapsed since the burning has apparently finished.

148 Quantities of AN : FO (ammonium nitrate mixed with fuel oil) shall be destroyed by dissolving the mixture in water and by pouring the resulting solutions into a shallow trench for disposal by percolation; the siting of trenches for this purpose shall be selected so as to avoid contamination of water supplies.

149 (1) Detonators shall be destroyed in batches of not more than one hundred at a time.

(2) After cutting off the lead wires of any electric detonators at a distance of 15mm. to 20mm. from the tube, the detonators to be destroyed shall be assembled into small boxes or bags each containing not more than one hundred.

(3) The appropriate number of boxes or bags containing a batch shall be placed in a hole at least 300mm. deep which has been excavated in sand or soft soil for that purpose and a

previously made up blasting charge of 2.50 kg. shall be carefully placed on the top thereof; the contents of the hole shall be protected by soft paper before dry sand or fine soil is carefully introduced to fill it.

(4) When the shot has been fired, a search of the surrounding area shall be made for any unexploded detonators.

150 Any person who fails to comply with requirements of this Part or fails to comply with any lawful order or instruction of a public officer acting in the pursuance of the provisions of or powers conferred upon him by this Part, shall be guilty of an offence and liable to a fine of R.1,000 and to imprisonment for 2 years.

PART VIII - ACCIDENTS - REPORTS AND ENQUIRIES

151 Whenever an accident causing loss of life or personal injury or material damage occurs in the use of explosives, the person in charge of the operations using such explosives shall forthwith send notice thereof to the Chief Inspector.

152 Whenever any accident by fire or explosion occurs in or about any premises occupied by a dealer in explosives, the licensee or his duly appointed agent shall immediately send notice thereof to the Chief Inspector.

153 Where an accident by fire or explosion occurs in or about an explosives magazine or while explosives are being loaded, unloaded or transported, the explosives-magazine manager and the person in charge of loading and transportation shall forthwith send notice of the accident, together with a statement of any loss of life or any personal injury to the Chief Inspector.

154 (1) Where an event as is set down in regulations 151 to 153 has occurred, it shall be an offence for any person to interfere in any way with the site or evidence at the place of the explosion or fire, except in so far as may be necessary for the removal of victims or for the safety of persons or property, until permission for interference has been granted by an inspector or a police officer of or above the rank of inspector.

(2) Where an explosives magazine has been partly or wholly destroyed by fire or explosion, such magazine shall not be reconstructed nor shall any explosives be put therein, except with the consent of the inspector.

155 If any accident by explosion takes place otherwise than as described in regulations 151 to 153, notification thereof shall forthwith be sent to the Chief Inspector.

156 (1) The Chief Inspector shall either carry out an investigation and prepare a written report, or order an inquiry into the cause of any occurrence of which notice is required to be given to him under this Part.

(2) If an inquest or a commission of enquiry is held into an explosion or any incident involving explosives, an inspector or an expert representative of the Chief Inspector shall be present to assist the inquiry, if required.

157 Where, as a result of an investigation or inquiry carried out under regulation 156, there is reason to believe that such accident, explosion or fire was due to negligence or malice or that it was in the nature of an outrage an inspector or the person designated by the Chief Inspector to hold the inquiry shall forthwith give notice of this effect to the Commissioner of Police.

158 An inspector or any person designated by the Chief Inspector to hold an inquiry shall investigate the circumstances attending any accident, explosion or fire and such inspector or person may -

- (a) enter and inspect for that purpose any building which it may seem to him necessary to inspect;
- (b) require witnesses to answer such questions as he may think fit to put;
- (c) require the production of all necessary books, papers or documents; and
- (d) require any person to state in writing what he knows of the matter:

Provided that no person shall be required to answer any question that may tend to incriminate him.

159 Any person who fails to comply with the requirements of this Part of fails to comply with any lawful order of a public officer acting in pursuance of the provisions of or powers conferred by this Part, shall be guilty of an offence and liable to a fine of R.1,000 and to imprisonment of 2 years.

FORM EXPS. NO. 1

FIRST SCHEDULE

EXPLOSIVES (SAFETY PROVISIONS) REGULATIONS, 1979

Regulation 7

Fee: R.1,000

DEALER'S LICENCE

Dealer's Licence No.

Licence to see, deal in and dispose of explosives, subject to the provisions of the Explosives Act and Regulations made thereunder, and the conditions on the back hereof or attached hereto.

Name of Licence	Place of business of licence and postal address	Description of the kind or of explosives hereby licensed to be sold, dealt in or disposed of	Maximum quantity of explosives of each kind hereby licensed to be kept in the licensed premises at any time for the purpose of sale or disposal

Date of expiry of this licence 31st December, 19....

Issued at on 19.....

.....
INSPECTOR OF EXPLOSIVES

EXPLOSIVES (SAFETY PROVISIONS) REGULATIONS, 1979

PERMIT TO PURCHASE EXPLOSIVES

Permit Purchase No.

(postal address)

Name of whose place of business is situated as being a licensed dealer in explosives/licensee of a magazine/authorized shot firer, is hereby permitted to purchase the undermentioned explosives.

Name	Division	Description of Explosives	Quantity	Net Weight

This permit is valid until 19.....

Issued at on the 19....

.....
INSPECTOR OF EXPLOSIVES

EXPLOSIVES (SAFETY PROVISIONS) REGULATIONS, 1979

Regulation 10
Fee: R.50

PERMIT TO IMPORT/EXPORT EXPLOSIVES

Permit to import/export No.....

(postal address)

Name of whose place of business is situated at is hereby authorized to import into/export from Seychelles the undermentioned explosives.

Country of manufacture Port of entry/export Name of suppliers

Class	Division	Description of Explosives	Quantity	Net Weight

This permit is valid until 19....

Issued at on the 19.....

N.B. In case of import, when the explosives have been received the triplicate copy of this permit must be signed and returned by the holder of the Explosives
.....

I, certify that the above explosives have been received.
Date

.....
Chief Inspector of Explosives
.....
Signature of permit holder

SPECIAL/CONTINUOUS ROAD MOVEMENT PERMIT

Fee: R.100

Permit No.

Name and address of consignee	Quantity and nature of explosives to be moved	Mode of transport and vehicle registration number where applicable	Place from which explosive are to be transported	Place to which explosive are to be transported	Probable date of departure	Probable date of arrival at destination

(postal address)

I hereby authorize of whose place of business is situated at to transport explosives by road in accordance with the above particulars and subject to the Regulations.

Under the powers conferred by regulation 33, I prescribe the following route and the person to be in charge of loading, unloading and transport is of

This permit shall be valid for days from the date thereof

Issued at on the 19.....

.....
INSPECTOR OF EXPLOSIVES

PERMIT TO MOVE AND USE EXPLOSIVES

Fee: R.100

Permit No.....

I hereby authorize of being an authorized shot firer holding shot firer's certificate No..... to move on 19.... the undermentioned explosives from Magazine No..... situate at to and thereafter to use the same on the property of known as on the understanding that any remaining explosives shall be returned to the magazine by 16.00 hours on the day of issue therefrom.

This permit is valid for the date entered above only

Issued at on 19.....

INSPECTOR OF EXPLOSIVES

(To be completed by Inspector)

(To be completed by shot firer)

Description of Explosives	Quan- tity to be issued	Number of shot holes loaded and quantity of explosives used in each																	Total quan- tity explosives used	Quantity of explosives returned	Remarks
		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17			
Gelignite (sticks)																					
Detonator (No.)																					
Cordex (M)																					
Safety Fuse (M)																					

Time leave magazine hours

(A) Signature of Police Officer escorting

Time of arrival on site hours

No. Rank

Time returned to magazine hours

(B) Signature of shot firer

(C) Signature of explosives-magazine manager

Note: Throughout the period the explosives are out of the magazine, except for use, they must be kept locked in the shot firer's boxes which must be in the possession of the shot firer.

Date 19.....

FROM EXPS. No.6

EXPLOSIVES (SAFETY PROVISIONS) REGULATIONS, 1979

Regulation 48
Fee: R.1,000

LICENCE TO STORE EXPLOSIVES

Magazine Licence No.....

(postal address)

Name of whose place of business is situated at is hereby licenced to store explosives of the type and quantity detailed below in an explosives magazine No. situated at until 31st day of December 19....

The plans of the explosives magazine were approved on 19..... and drawings No.
refers. Under Regulation 65 of the has been appointed explosives-

(name) (address)

magazine manager to be in charge of the magazine.

Class	Division	Description of Explosives	Net weight
Total maximum weight permitted			

Issued at on the 19....

.....
CHIEF INSPECTOR OF EXPLOSIVES

EXPLOSIVES STORAGE BOOK

Type of explosive

Date	From Whom Received	Amount Received	Total Stock in hand	Signature of Magazines Manager
1	2	3	4	5

Date	To Whom Issued	Amount Issued	Signature of user	Amount Returned	Total Used	Daily Balance
6	7	8	9	10	11	12

Abbreviations may be used for Cartridge explosives in columns 3, 4, 7, 10, 11 and 12 C for cases; P for packets; S for sticks

APPLICATION FOR SHOT FIRER'S BLASTING CERTIFICATE

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<p>GOVERNMENTS OF SEYCHELLES Application for Shot Fire's Blasting Certificate</p> <p>1. Particulars of Applicant</p> <p>(i) Surname (ii) Other Names (iii) Address (iv) Date of birth (v) Place of birth (vi) Father's name Father's address Father's place of birth Mother's name Mother's address Mother's place of birth</p>	<p>2. Particulars of Applicant's Education Qualification and experience</p> <p>(i) School attended with dates and standard reached (ii) Qualification if any (iii) Previous experience in blasting give names of employers, dates and type of blasting engaged upon</p> <p>I hereby apply to be tested and examined by an Inspector of Explosives as to my competence to be issued with a Shot Firer's Blasting Certificate and I certify that I have studied the Explosives Act and Explosives (Safety Provisions) Regulations and am familiar with their provisions.</p> <p>I enclosed with this application my receipt for R.200 being the examination fee.</p> <p>Signature of Applicant and Date</p>	<p>3. Counter signature The Applicant is required to obtain the signature of a competent person who is personally known to him and is willing to vouch for him. To be completed by person signing. I certify that Is personally known to me and that I consider him to be worthy in all respects to be granted a shot firer's blasting licence. I have known years. Signature Profession or Qualification Date</p> <p>4. Photographs The applicant is to provide two copies of a passport style photograph endorsed on the back by the person countersigning Section 3 with the following words "I certify that this photograph is a true likeness of Signed</p> <div style="border: 1px solid black; padding: 5px; text-align: center;">Duplicate Photograph</div>

SHOT FIRER'S BLASTING CERTIFICATE

Government of Seychelles	This is to certify that (name of holder)
Photograph Of Holder	Has satisfied an Inspector of Explosives both by Practical test and knowledge of the Explosives (Safety Provisions) Regulations as to his com- Petence to handle and use explosives for shot Firing.
Official Stamp	Issued at On the 19.....
..... Signature of Holder CHIEF INSPECTOR OF EXPLOSIVES SEYCHELLES

GOVERNMENT OF SEYCHELLES
SHOT FIRER'S BLASTING CERTIFICATE
Serial No

REPORT OF A MIS-FIRE

Name and address of Shot Firer

Name and address of employer

Name and address of police officer

Date and time mis-fire occurred

Location of mis-fire

Number of holes charged

Number of holes mis-fired

Type of fuse and firing method

Reason for mis-fire

Action taken

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Signature of shot firer

Signature of Police Officer

Date and time

(This form must be completed and submitted to the Chief Inspector of Explosives through the Road Engineer, within 24 hours of a mis-fire occurring).

SECOND SCHEDULE

Regulation 3

TARIFF OF FEES

Matters	Amount R.
1. Licence to sell, deal in and dispose of explosives	1,000
2. Licence to import or export explosives	50
3. Special or continuous road movement permit to transport explosives	100
4. Permit to move and use explosives	100
5. Explosives magazine licence and renewal of transfer thereof.	1,000
6. Test and examination of competence to use explosives	200
7. Shot firer's blasting certificate or duplicate thereof	20