

SCHEDULE 6

AMENDMENTS

PART 1

AMENDMENTS TO PRIMARY LEGISLATION

Explosives Act 1875

1.—(1) The 1875 Act is amended as follows.

(2) Omit sections 4 to 22 and for section 23 (precautions against fire or explosion to be taken by occupier) substitute—

“Precautions against unauthorised access

23.—(1) The occupier of every premises at which gunpowder is manufactured or stored shall take all due precaution for preventing unauthorised persons having access to the premises or to the gunpowder therein.

(2) In the event of any breach (by any act or default) of subsection (1), the occupier shall be guilty of an offence.

(3) In this section, “premises” has the meaning given by Article 2(2) of the Health and Safety at Work (Northern Ireland) Order 1978.”.

(3) Omit sections 24 to 29, 33, 35 to 38, 40 and 41.

(4) In section 43 (power to prohibit manufacture, storage and carriage of specially dangerous explosives)—

(a) omit “, either absolutely, or except in pursuance of a license of the Secretary of State under this Act”; and

(b) for the words from “Provided that” to “conveyance of explosives” substitute “A person who manufactures, keeps or conveys any explosive in contravention of any such Order shall be guilty of an offence and liable to the penalties specified in Article 31(4) of the Health and Safety at Work (Northern Ireland) Order 1978.”.

(5) Omit sections 44 to 51, 57 to 60 and 62 to 66.

(6) Omit sections 71, 72, 77 to 79, 81 and 82.

(7) In section 83 (provisions as to Orders in Council and orders of Secretary of State), omit—

(a) “, and a Secretary of State may by order,”; and

(b) “or orders of the Secretary of State, as the case may be,”.

(8) Omit sections 84 to 88.

(9) In section 97 (exemption of Government factories, &c., from the Act), omit paragraphs (3) and (4) and the words from “Provided that” to the end of the section.

(10) Omit sections 98 and 101.

(11) In section 102 (saving clause as to liability), omit the words from “A continuing certificate” to the end of the section.

(12) Omit sections 103, 105 and 106.

(13) In section 108 (general definitions)—

(a) in the definition of “this Act”, omit “certificate, byelaw, regulation, rule,”;

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) in the definition of “store”, omit “an existing gunpowder store as defined by this Act, or” and “licensed by a license granted under this Act”; and
 - (c) omit the definitions of “existing”, “factory magazine”, “harbour authority”, “canal company”, “railway company”, “safety cartridges” and “Gunpowder Act 1860”.
- (14) Omit sections 119 to 121.
- (15) Omit Schedules 1 and 2.