



Explosives Act 1875

1875 CHAPTER 17

PART II

LAW RELATING TO OTHER EXPLOSIVES

Existing Factories, Magazines, and Stores

51 Application of Part I. of the Act to existing factories and magazines

In any continuing certificate for a lawfully existing factory or magazine for any explosive other than gunpowder, the regulations set out in the first schedule to this Act shall not form part of the terms of such certificate, but in lieu thereof the Secretary of State shall insert in the certificate as the terms thereof—

- (1) If the factory or magazine is for dynamite or any substance having nitro-glycerine as one of its component parts or ingredients, the conditions contained in the existing license, with such modifications (if any) as the Secretary of State may think necessary in order to bring the same into conformity with this Act, and also any limitation of time for the expiration of the license contained in the existing license, and also the existing power of the Secretary of State to revoke the license; and
- (2) In any other case, such terms as the Secretary of State may think expedient, having regard to the conditions (if any) contained in the license under which the factory or magazine is established; and such terms shall include any limitation of time contained in such license, but shall not require the removal of any lawfully existing building or work.

If a new license under this Act is obtained for keeping in an existing gunpowder store any explosive other than gunpowder, the continuing certificate of such store shall be determined, and the store shall cease to be deemed to be an existing gunpowder store within the meaning of this Act.

Status: This is the original version (as it was originally enacted).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

52 Continuing certificate not required for factory, magazine, or importation license expiring within 12 months, or for stores licensed under Nitro-glycerine Act, 1869

Where the license of a factory or magazine or any explosive other than gunpowder will expire within twelve months after the commencement of this Act, the occupier of such factory or magazine shall not require a continuing certificate under this Act, but until such license expires shall be entitled to use such factory or magazine in like manner as if this Act had not passed, without prejudice nevertheless to any application by him for a license under this Act for such factory or magazine, but after a license under this Act is obtained for the same, or after the expiration of the old license, such factory or magazine shall not be deemed to be a lawfully existing factory or magazine within the meaning of this Act.

The occupier of any magazine licensed at the time of the passing of this Act by a general magazine license under the Nitro-glycerine Act, 1869, shall not require a continuing certificate under this Act, but until the expiration of six months after the commencement of this Act shall be entitled to use such magazine in like manner as if this Act had not passed, without prejudice nevertheless to a license under this Act being obtained for the same; but after a license under this Act is obtained for the same, or after the expiration of the said six months, such license shall determine, and such magazine shall not be deemed to be a lawfully existing magazine or store within the meaning of this Act.

The holder of any importation license under the Nitro-glycerine Act, 1869, shall, until the expiration of six months after the commencement of this Act, be entitled to act under such license in like manner as if this Act had not passed, without prejudice nevertheless to any application by him for an importation license under this Act; but after such license under this Act is obtained, or after the expiration of the said six months, such existing license shall determine.