



# Explosives Act 1875

## 1875 CHAPTER 17

### PART IV

#### SUPPLEMENTAL PROVISIONS, LEGAL PROCEEDINGS, EXEMPTIONS, AND DEFINITIONS

##### *Application of Act to Ireland*

This Act shall apply to Ireland, with the following modifications; that is to say

#### **116 Definition of local authority**

The local authority for the purposes of this Act shall be—

- (1) In the city of Dublin, the Lord Mayor, aldermen, and burgesses acting by the town council:
- (2) In any urban sanitary district in which the powers, jurisdictions, and authorities of the grand jury of the county in which such district is situate are vested and exercise-able by the urban sanitary authority, except as hereafter in this section mentioned, the urban sanitary authority :
- (3) In any harbour within the jurisdiction of a harbour authority, whether situate or not within the jurisdiction of any local authority, before in this section mentioned, the harbour authority, to the exclusion of any other local authority :
- (4) In any place in which there is no local authority as before in this section defined, the justices in petty sessions assembled.

The expressions " urban sanitary authority " and " urban sanitary district " have the same meanings respectively as in the Public Health, Ireland, Act, 1874.

#### **117 Power of certain local bodies to become a local authority**

The urban sanitary authority of any district in Ireland which is not constituted a local authority by this Act may, by order of a Secretary of State made upon the application of

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such authority and published in the Dublin Gazette, be declared to be a local authority for the purposes of this Act, and thereupon shall become a local authority accordingly for such part of their district as is not included in any harbour, to the exclusion of the justices in petty sessions.

### **118 Expenses of local authority**

All expenses incurred by any local authority in carrying into effect the execution of this Act in Ireland, including the salary and expenses of any officer directed by them to act under this Act, shall be paid out of the local rate. The local rate shall for the purposes of this Act mean as follows; that is to say,

In the city of Dublin, the borough fund or borough rate;

In urban sanitary districts where the urban sanitary authority are the local authority, any fund, moneys, or rate applicable or leviable by such authority for any purposes of improvement within their district;

In harbours, any moneys, fund, or rate applicable or leviable by the harbour authority for any harbour purposes; and

In any place where the justices in petty sessions are the local authority, the poor rates :

And the local rate or any increase of the local rate may, notwithstanding any limitation in any Act, be levied for the purposes of this Act.

All expenses incurred in any petty sessions district which are by this Act payable out of poor rates shall be paid upon the written order of the local authority which shall have incurred the same by the treasurer of the poor law union, or the treasurers of the poor law unions within which such petty sessions district is situate, according to the terms of such order.

Where such petty sessions district is situate within two or more poor law unions, the local authority shall in making such order apportion the amount of such expenses fairly between such unions, according to the net annual value of the rateable property forming the parts of such petty sessions district situate within the same

All moneys by this Act made payable by the treasurer of any poor law union in respect of expenses incurred in any petty sessions district wholly or partly within such union by the local authority shall be paid by him out of the funds then lying in his hands to the credit of the guardians of such union, and such guardians shall in their account with the electoral divisions of such union, debit each electoral division wholly or partly within such petty sessions district with its proportion of the sum so paid by the treasurer according to the net annual value for the time being of the rateable property within such electoral division, and also within such petty sessions district.

### **119 Form of registers of store licenses and registered premises, and amount of fees, to be approved by Secretary of State**

The register of store licenses and of registered premises to be kept by the local authorities in Ireland shall be kept in such form and manner, and the fees for entries to be made therein shall (subject to the limits as to fees prescribed by this Act) be such as the Secretary of State shall from time to time approve.

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## 120 Definitions

In this Act with respect to Ireland—

The expression " police district " means—

- (1) The police district of Dublin metropolis; and
- (2) The town of Belfast; and
- (3) Elsewhere in Ireland, any district, whether city, town, or part of a county, over which is appointed a sub-inspector of the Royal Irish Constabulary.

The expression " chief officer of police " means—

- (1) In the police district of Dublin metropolis, the chief commissioner of police for the said district; and in his absence the assistant commissioner of police for the said district; and
- (2) In the town of Belfast, the town inspector, and in his absence the sub-inspector of the Royal Irish Constabulary acting for him; and
- (3) Elsewhere in Ireland, the sub-inspector of the Royal Irish Constabulary, and in his absence the head constable of such force acting for him.

The expression " the county court judge " means the judge of the civil bill court.

The expression " borough " means any place for the time being subject to the Act of the session of the third and fourth years of the reign of Her present Majesty, chapter one hundred and eight, intituled " An Act for the regulation of municipal corporations in " Ireland."

The expression " Summary Jurisdiction Acts " means, as regards the police district of Dublin metropolis, the Acts regulating the powers and duties of justices of the peace for such district, and elsewhere in Ireland, the Act of the session of the fourteenth and fifteenth years of the reign of Her present Majesty, chapter ninety-three, intituled " An Act to consolidate and amend the Acts regulating the proceedings of petty sessions, and the duties of justices " of the peace out of quarter sessions in Ireland," and any Acts amending the same.

The expression " court of summary jurisdiction " means any justice or justices of the peace, or other magistrate or officer, by whatever name called, to whom jurisdiction is given by the Summary Jurisdiction Acts or any Acts therein referred to.

## 121 Application of penalties in Ireland

Except as by this Act expressly provided, all penalties imposed under this Act in Ireland shall be applied in manner directed by the Fines (Ireland) Act, 1851, and any Acts amending the same.