



Explosives Act 1875

1875 CHAPTER 17 38 and 39 Vict

PART I.—LAW RELATING TO GUNPOWDER

Sale of Gunpowder

30 Restriction on sale of gunpowder in highways, &c.

Gunpowder shall not be hawked, sold, or exposed for sale upon any [^{F1}highway, street, public thoroughfare, or][^{F1}road or in any] public place.

If any gunpowder is hawked, sold, or exposed for sale in contravention of this section—

- (1) The person hawking, selling, or exposing for sale the same, shall be liable to a penalty not exceeding [^{F2}£2] ; and
- (2) All or any part of the gunpowder which is so hawked or exposed for sale, or is found in the possession of any person convicted under this section, may be forfeited.

Textual Amendments

F1 Words “road or in any” substituted (S.) for words “highway, street, public thoroughfare, or” by [Roads \(Scotland\) Act 1984 \(c. 54, SIF 108\)](#), s. 156(1), [Sch. 9 para. 7\(3\)](#)

F2 Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\)](#), s. 10(1)

31 Penalty for sale of gunpowder to children.

[^{F3}(1)] Gunpowder shall not be sold to [^{F4}any person apparently under the age of sixteen] years; and any person selling gunpowder in contravention of this section [^{F5}shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale]

[^{F6}(2) Subsection (1) does not apply to—

*Changes to legislation: There are currently no known outstanding effects for the
 Explosives Act 1875, Cross Heading: Sale of Gunpowder. (See end of Document for details)*

- (a) pyrotechnic articles within the meaning set out in regulation 3 of the Pyrotechnic Articles (Safety) Regulations 2015; or
- (b) percussion caps intended specifically for toys within the meaning set out in regulation 4(2) of the Toys (Safety) Regulations 2011 (S.I. 2011/1881).]

Textual Amendments

- F3** S. 31(1): s. 31 renumbered as s. 31(1) (4.7.2010) by [The Pyrotechnic Articles \(Safety\) Regulations 2010 \(S.I. 2010/1554\)](#), regs. 1(1), **49(1)**
- F4** Words substituted by [Explosives \(Age of Purchase etc.\) Act 1976 \(c. 19\)](#), **s. 10(1)**
- F5** Words substituted by [Consumer Protection Act 1987 \(c. 43, SIF 109:1\)](#), ss. 41(2), 47(1)(2), 48, **Sch. 4 para. 1**
- F6** S. 31(2) substituted for s. 31(2)-(5) (17.8.2015) by [The Pyrotechnic Articles \(Safety\) Regulations 2015 \(S.I. 2015/1553\)](#), regs. 1, **75(3)** (with reg. 75(4))

32 Sale of gunpowder to be in closed packages labelled.

All gunpowder exceeding [^{F7}500 grams] in weight, when publicly exposed for sale or sold, shall be in a substantial case, bag, canister, or other receptacle made and closed so as to prevent the gunpowder from escaping, and (except when the same is sold to any person employed by or on the property occupied by the vendor for immediate use in the service of the vendor or on such property,) the outermost receptacle containing such gunpowder shall have affixed the word “gunpowder” in conspicuous characters by means of a brand or securely attached label, or other mark.

If any gunpowder is sold or exposed for sale in contravention of this section—

- (1) The person selling or exposing for sale the same shall be liable to a penalty not exceeding [^{F8}£2] ; and
- (2) All or any part of the gunpowder so exposed for sale may be forfeited.

Textual Amendments

- F7** Words substituted by [S.I. 1984/510](#), reg. 2, **Sch. 1**
- F8** Words substituted by virtue of [Decimal Currency Act 1969 \(c. 19\)](#), **s. 10(1)**

Changes to legislation:

There are currently no known outstanding effects for the Explosives Act 1875, Cross Heading:
Sale of Gunpowder.