



Explosives Act 1875

1875 CHAPTER 17 38 and 39 Vict

PART IV.—SUPPLEMENTAL PROVISIONS, LEGAL PROCEEDINGS, EXEMPTIONS, AND DEFINITIONS

Exemptions and Savings

102 Saving clause as to liability.

This Act shall not, save as is herein expressly provided, exempt any person from any action or suit in respect of any nuisance, tort, or otherwise, which might but for the provisions of this Act, have been brought against him.

This Act shall not exempt any person from any indictment or other proceeding for a nuisance, or for an offence which is indictable at common law, or by any Act of Parliament other than this Act, so that no person be punished twice for the same offence.

When proceedings are taken before any court against any person in respect of any offence under this Act, which is also an offence indictable at common law or by some Act of Parliament other than this Act, the court may direct that, instead of such proceedings being continued, proceedings shall be taken for indicting such person at common law or under some Act of Parliament other than this Act.

F1F2
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Textual Amendments

- F1** Words in s. 102 repealed (E.W.S.) (26.4.2005 with application outside E.W.S. as mentioned in reg. 3 of the repealing S.I.) by [The Manufacture and Storage of Explosives Regulations 2005 \(S.I. 2005/1082\)](#), Sch. 5 para. 1(13), **Sch. 6** (with reg. 3)
- F2** Words in s. 102 omitted (N.I.) (1.12.2006) by virtue of [The Manufacture and Storage of Explosives Regulations \(Northern Ireland\) 2006 \(S.R. 2006/425\)](#), reg. 1, Sch. 6 para. 1(11), **Sch. 7 Pt. 1** (with reg. 26)

Changes to legislation:

There are currently no known outstanding effects for the Explosives Act 1875, Section 102.