
 STATUTORY INSTRUMENTS

1967 No. 1485

EXPLOSIVES

The Ammonium Nitrate Mixtures Exemption Order 1967

<i>Made - - - -</i>	10th October 1967
<i>Laid before Parliament</i>	16th October 1967
<i>Coming into Operation</i>	1st November 1967

At the Court at Balmoral, the 10th day of October 1967

Present,

The Queen's Most Excellent Majesty in Council

Her Majesty, by virtue of the powers conferred on Her by sections 50 and 83 of the Explosives Act 1875(a), is pleased, by and with the advice of Her Privy Council, to order, and it is hereby ordered, as follows :—

1. The following explosives, provided that they satisfy the test described in Article 2 below, shall be prescribed explosives for the purposes of section 50 of the Explosives Act 1875 :—

- (a) ammonium nitrate impregnated with mineral oil ;
- (b) a mixture of ammonium nitrate and any other substance or substances which—
 - (i) is impregnated with mineral oil, and
 - (ii) was not explosive before impregnation with mineral oil ;
- (c) a mixture of ammonium nitrate and—
 - (i) any other substance which was not explosive alone, or
 - (ii) any other substances none of which was explosive alone or was mixed with any of the others in such a way that the resulting mixture was explosive :

Provided that, if anything is added to an explosive which by virtue of this Order is a prescribed explosive for the purposes mentioned above (except mineral oil in the case of an explosive which is a prescribed explosive for those purposes by virtue of paragraph (a) or (b) above), the explosive shall cease to be a prescribed explosive by virtue of this Order for those purposes.

2. The test referred to in Article 1 above is that, when a cardboard tube not more than 12 inches (304·8 millimetres) long and with an internal diameter of not more than 3 inches (76·2 millimetres) is filled with the explosive, the explosive will not explode completely on being initiated by means of a detonator whose initiating effect is equivalent to that of a detonator containing not less than one gramme of mercury fulminate.

3. Any explosive which by virtue of this Order is a prescribed explosive for the purposes of section 50 of the Explosives Act 1875 shall be exempt from the provisions of that Act relating to the manufacture of explosives, provided that the person manufacturing the explosive holds a licence from the Secretary of State authorising him to manufacture that explosive and complies with any requirements contained in the licence.

4.—(1) This Order may be cited as the Ammonium Nitrate Mixtures Exemption Order 1967 and shall come into operation on 1st November 1967.

(2) The Ammonium Nitrate in Oil Exemption Order 1958(a) is hereby revoked :

Provided that a licence obtained from the Secretary of State under Article 2 of that Order to manufacture an explosive shall continue in force and have effect as if given under Article 3 of this Order.

N. E. Leigh.

EXPLANATORY NOTE

(This Note is not part of the Order.)

Under section 50 of the Explosives Act 1875 certain explosives there named and any other explosives prescribed by Order in Council for the purpose are exempted from certain provisions of the Act requiring that explosives be kept only in premises licensed or registered under the Act, and it is not obligatory for certain public authorities and other persons to make byelaws about the conveyance of such explosives. In addition, the Order in Council may exempt such explosives from any other provisions of the Act.

Article 1 provides that the explosives mentioned in it shall be prescribed explosives for the purposes of section 50 of the Act provided that they satisfy the test described in Article 2.

Article 3 exempts the explosives prescribed by the Order from the provisions of the Act with respect to manufacture. The principal provision is section 4 (as applied to explosives other than gunpowder by section 39), which requires generally that explosives should not be manufactured except at a factory licensed under the Act. The exemption is made subject to the requirement that a licence should be obtained from the Secretary of State and any requirement imposed by the licence complied with.

(a) S.I. 1958/416 (1958 I, p. 1104).