

**Statutory Instrument No. 51 of 1968.**

THE EXPLOSIVES LAW, 1961

**THE EXPLOSIVES (AMENDMENT) REGULATIONS, 1968**

(Published on 14th June, 1968)

In exercise of the powers vested in him by section 4(1) of the Explosives Law, 1961 (No. 31 of 1961) His Excellency the President hereby makes the following regulations —

**Citation**

1. These regulations may be cited as the Explosives (Amendment) Regulations, 1968.

**Amendment of Regulation 6 of G.N. No. 44 of 1963**

2. Regulation 6 of the Explosives Regulations, 1963 (hereinafter referred to as the principal regulations) is amended —

(a) by the insertion after subregulation (2) of the following subregulations —

“(3) The Mining Commissioner at his discretion may issue to any owner of a licensed magazine a general authority to import, possess and dispose of explosives, subject to such conditions as the Mining Commissioner may impose.

(4) The Mining Commissioner may at any time revoke such authority.”.

(b) by the addition of the following sub-regulation —

“(6) No permit shall be issued under the provisions of this regulation authorizing the importation of explosives intended or adapted for military use except upon the written authority of the Minister, and no permit issued under this regulation shall be deemed to authorize such importation unless the authority of the Minister has been so obtained.”.

**Amendment of Regulation 24 of G.N. No. 44 of 1963**

3. Regulation 24 of the principal regulations is amended by the insertion after “Inspector” of “or the Mining Commissioner”.

**Amendment of Regulation 34 of G.N. No. 44 of 1963**

4. Regulation 34 of the principal regulations is amended in subregulation (1) by the deletion of “Assistant”.

**Amendment of Regulation 36 of G.N. No. 44 of 1963**

5. Regulation 36 of the principal regulations is amended by the insertion after “Inspector”, wherever this appears, of “or the Mining Commissioner”.

**Amendment of Regulation 37 of G.N. No. 44 of 1963**

6. Regulation 37 of the principal regulations is amended by the deletion of “regulation twelve” and the substitution of “regulations twelve and forty-four”.

**Amendment of Regulation 39 of G.N. No. 44 of 1963**

7. Regulation 39 of the principal regulations is amended —

(a) by the insertion after “specified” of “except as provided for in the proviso to paragraph (i) of regulation forty-four”;

(b) by the addition of the following subregulation —

“(3) Every magazine shall be in the charge of the licensee or of a person authorized by him who is acquainted with the provisions of these regulations relating to the loading, unloading, conveyance, handling, storing and guarding of explosives.”.

**Amendment of Regulation 41 of G.N. No. 44 of 1963**

8. Regulation 41 of the principal regulations is amended by the deletion of “regulation *thirty-nine*” and the substitution of “regulations *thirty-nine* and *sixty-one A*”.

**Amendment of Regulations 42 and 43 of G.N. No. 44 of 1963**

9. Regulations 42 and 43 are amended by the insertion after “Inspector” of “or the Mining Commissioner” wherever this appears.

**Substitution of Regulations 44 to 48 of G.N. No. 44 of 1963**

10. Regulations 44 to 48, inclusive, of the principal regulations are deleted and the following regulations are substituted —

**“Requirements of Licensed Magazine**

44. Except where an exemption in writing has been granted under regulation *forty-three*, the construction of a magazine shall be in conformity with the following requirements —

- (a) the walls shall be constructed of reinforced concrete;
- (b) a magazine shall have no exposed iron or steel on the inside;
- (c) the floor shall be covered with reinforced concrete not less than six inches thick;
- (d) the magazine building shall be covered with a roof of reinforced concrete;
- (e) the height from the floor to the ceiling shall be at least seven feet;
- (f) there shall be no windows in any magazine;
- (g) ventilation shall be provided by means of elbow flues constructed in the thickness of the walls, fitted with gratings covered with fine wire gauze at both external and internal openings. Flues shall not be less than 1½ inches in diameter and not more than 6 feet apart horizontally. The bottom series of flues shall be 2 feet 6 inches from the floor and the top series of flues shall be 9 inches below the ceiling;
- (h) the door of every magazine shall be of a design approved by an Inspector or the Mining Commissioner, constructed of steel plate not less than one-quarter of an inch in thickness lined with wood or similar non-ferrous material, hung in a substantial steel frame securely set in the concrete of the building and opening outwards; it shall be locked by means of two or more six lever concealed and protected dead locks or approved bolt mechanism with six lever concealed and protected dead locks, and the hinged edge shall be secured when closed by not less than five internal fixed dog bolts or lugs engaging with the frame;
- (i) separate and distinct buildings provided for the storage of detonators shall be similar in construction to the main magazine and shall be set at distances from the main magazine not less than those set out in the Third Schedule;

Provided that in the case of a magazine licensed for the storage of not more than 5 tons of explosives, detonators may be stored separately in the same building in a room or compartment separated from the main storage chamber by an air space of approved dimensions.

#### **Danger Notice**

45. A danger notice shall be placed in a conspicuous place in the vicinity of every magazine.

#### **Alterations to Magazines**

46. No structural alteration to any magazine or alteration to any protecting mound necessarily built in accordance with the provisions of regulation 53, otherwise than by enlarging such mound, shall be made except in accordance with an amended plan approved by an Inspector or the Mining Commissioner.

#### **Safety Precautions Relating to Footwear**

47. No person wearing boots or shoes which will allow metal to come into contact with the concrete floor shall enter a magazine without first removing such boots or shoes."

#### **Substitution of Regulation 50 of G.N. No. 44 of 1963**

11. Regulation 50 of the principal regulations is deleted and the following regulation is substituted —

##### **"Temperature of Licensed Magazine**

50. (1) Every licensed magazine or other approved explosives storage chamber, other than a magazine for the storage of detonators only, shall be maintained at a temperature which shall not exceed 95° F or 35° C.

(2) A reliable maximum and minimum thermometer shall be kept in every such magazine or storage chamber."

#### **Amendment of Regulation 53 of G.N. No. 44 of 1963**

12. Regulation 53 of the principal regulations is amended —

(a) in paragraph (iii) by the insertion after "feet" of ", but not more than four feet, measured from the foot of its interior slope";

(b) in paragraph (iv) by the addition after "earth" of the following words "and the interior slope at an angle according to the construction of the mound";

(c) in paragraph (v) by the deletion of the first sentence and the substitution of "be so constructed that the entrance to the magazine through the mound shall be in a broken line formed by the overlapping of the ends of the mound.";

(d) by the addition of the following paragraph —

"(vi) be so constructed that, from a point outside the mound and at a height of six feet above the level of the floor of the magazine, no part of the magazine building below the eaves is visible."

#### **Amendment of Regulation 54 of G.N. No. 44 of 1963**

13. Regulation 54 of the principal regulations is amended by the insertion after "Inspector" of "or the Mining Commissioner".

**Substitution of Regulation 55 of G.N. No. 44 of 1963**

14. Regulation 55 of the principal regulations is deleted and the following regulation is substituted —

**“Fencing of licensed Magazine**

55. Every licensed magazine shall be surrounded by a substantial fence to the satisfaction of an Inspector or the Mining Commissioner.”.

**Substitution of Regulation 57 of G.N. No. 44 of 1963**

15. Regulation 57 of the principal regulations is amended and the following regulation is substituted —

**“Lightning Conductor on Licensed Magazine**

57. Every licensed magazine shall be efficiently protected against lightning to the satisfaction of an Inspector or of the Mining Commissioner.”.

**Amendment of Regulation 58 of G.N. No. 44 of 1963**

16. Regulation 58 of the principal regulations is amended by the insertion after “Inspector” of or Mining Commissioner”.

**Deletion of Regulation 59 of G.N. No. 44 of 1963**

17. The principal regulations are amended by the deletion of regulation 59.

**Insertion of Regulation 61A into G.N. No. 44 of 1963**

18. The principal regulations are amended by the insertion of the following regulation after regulation 61 —

**“Portable Magazines**

61A. (1) Where a quantity of explosives not exceeding one hundred cases or five thousand pounds of fracture explosives or fifteen thousand detonators is required for some temporary purpose, and where in the opinion of an Inspector or the Mining Commissioner construction of a permanent building is not justified, an Inspector or the Mining Commissioner may license a portable magazine of an approved design which complies with the requirements of subregulation (2) for such time and subject to such conditions as may be prescribed in writing.

(2) A portable magazine shall conform with the following requirements —

- (a) the sides, top, bottom and door shall consist of mild steel plate one-quarter of an inch in thickness;
- (b) all joints shall be welded;
- (c) the door shall comply with the requirements of paragraph (h) of regulation forty-four and when closed shall be flush with the side of such portable magazine;
- (d) it shall be lined throughout with tongued and grooved matchboard or other similar material not less than five-eighths of an inch in thickness secured by brass or copper screws or nails so that there is an airspace of at least one and one-half inches between the lining and the top, bottom and sides of such portable magazine;

(e) ventilation shall be provided by not less than four openings each of four square inches covered with fine wire gauze and protected on the outside by a weather-proof louvre and on the inside by a steel plate a quarter of an inch thick, set back half an inch and overlapping the opening by one inch all round, the openings to be placed six inches above the bottom and six inches below the top on opposite sides of such magazine; the wooden or other lining to be drilled opposite each opening with eight half-inch diameter holes;

(f) a similarly constructed detonator magazine may be attached provided it is separated by an air space of not less than nine inches from such portable magazine: if the door of such detonator magazine does not exceed twenty inches in either dimension, it may differ from the requirements of paragraph (d) of this subregulation in so far as it may be secured by one lock and three dog bolts."

**Amendment of Regulation 63 of G.N. No. 44 of 1963**

19. Regulation 63 of the principal regulations is amended by the insertion after "Inspector", wherever this appears, of "or Mining Commissioner".

**Amendment of Regulation 101 of G.N. No. 44 of 1963**

20. Regulation 101 of the principal regulations is amended by the insertion of "Subject to the provisions of regulation forty-four" at the beginning thereof.

**Amendment of Regulation 145 of G.N. No. 44 of 1963**

21. Regulation 145 of the principal regulations is amended by the addition of the following subregulation —

"(7) Notwithstanding the provisions of subregulation (1), where any person contravenes the provisions of regulation 6 and the offence relates to the importation of explosives intended or adapted for military use, he shall be liable, on conviction, to imprisonment for a period of four years."

**Amendment of First Schedule of G.N. No. 44 of 1963**

22. The First Schedule to the principal regulations is amended in Form F by the insertion after "Assistant Inspector" of "or Mining Commissioner".

A.M. MOGWE.  
Permanent Secretary.

Office of the President,  
GABERONES.  
7th June, 1968.