

## Renumbering of Regulations

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No. 3.

## THE EXPLOSIVE SUBSTANCES LAW, 1939.

## REGULATIONS MADE UNDER SECTION 13.

W. D. BATTERSHILL,  
Governor.

In exercise of the powers vested in him by section 13 of the Explosive Substances Law, 1939, His Excellency the Governor, with the advice of the Executive Council, is pleased to make and hereby makes the following Regulations:—

1. These Regulations may be cited as the Explosive Substances Short title Regulations, 1940.

## PART I.

## IMPORTATION.

2. A licence under section 4 of the Explosive Substances Law, 1939, to import explosive substances shall be in the form "A" in the First Schedule to these Regulations. Licence to import explosive substances.

Minimum Requirements.

2A.- The Inspector of Explosive Substances may, in considering an application for the grant of a licence to import explosive substances according to the provisions of the Explosive Substances Law and these Regulations, examine whether the explosive substances satisfy the provisions of the Minimum Requirements (Explosive Substances for Civil Uses) Regulations and in the case that these provisions are not satisfied, to refuse to grant the import licence, setting out to the applicant the reason of his decision.

3. Blasting powder shall only be imported for use in blasting operations, and no licence shall be granted for the importation of blasting powder for any other purposes. Licence to import blasting powder.

4. Unless the Superintendent of the Port otherwise directs, all explosive substances, when first imported, shall immediately after being put on shore, be conveyed to an explosives magazine duly licensed by the Inspector of Explosives. Imported explosive substances to be conveyed to magazine.

5.—(a) Every ship, lighter or boat carrying explosive substances shall anchor or moor at such anchorage or place as the Superintendent of the Port or his representative shall direct, and shall not be moved from such anchorage or place except by permission of the Superintendent. Port Regulations.

(b) No smoking or naked lights shall be allowed on board any ship, boat or lighter carrying explosive substances, nor in the vicinity of any wharf or pier where such explosive substances are being landed or embarked.

(c) No explosive substances shall be put on or off shore except at places approved by the Superintendent of the Port or his representative.

(d) No loading or discharging of explosive substances shall be allowed between the hours of sunset and sunrise.

(e) Every ship having explosive substances on board shall fly the International Signal code flag "B" or a red flag not less than three feet square, at the foremast head by day, and a red light (visible for at least two miles) by night.

(f) The Superintendent of the Port may prohibit the shipping of explosive substances on any vessel if he has reasonable cause to believe that such shipment will endanger the lives of the crew or the safety of the ship.

(g) The receptacles in which explosive substances are packed should be plainly marked with the name of the contents (e.g. dynamite, gelignite, gunpowder, etc., as the case may be), in red colour.

(h) Every ship, lighter or boat having on board any explosive substances shall haul off from any pier or wharf after sunset and shall moor in such place or position as the Superintendent of the Port shall instruct.

Penalty. 6. Any person committing a breach of this Part of these Regulations shall be guilty of an offence and shall be liable to imprisonment not exceeding twelve months or to a fine not exceeding fifty pounds or both.

## PART II. MANUFACTURE.

Licence to manufacture explosive substances. 7. A licence under section 4 of the Explosive Substances Law, 1939, to manufacture explosive substances shall be in the form "B" in the First Schedule to these Regulations.

Licence to manufacture lead shot. 8. A licence under section 7 of the Explosive Substances Law, 1939, to manufacture lead shot shall be in the form "C" in the First Schedule to these Regulations.

## PART III. TRANSPORT.

Transport of explosive substances in bulk. 9.—(a) The conveyance of explosive substances between the place of landing and the storage magazine, or between one duly licensed storage magazine and another, shall proceed with all due diligencé.

(b) Every vehicle carrying any explosive substances shall fly at each side a red flag at least 24 inches square, so as to be distinctly visible from the front and rear of any such vehicle.

(c) No person shall smoke on or near any vehicle carrying any explosive substances.

(d) At resting places on overland journeys no explosive substances shall be placed in any building used at the same time as a dwelling place but shall be placed on the outskirts of towns and villages and at reasonable distance from any dwelling place.

(e) Explosive substances and detonating substances shall not be transported in the same vehicle.

(f) Explosive substances shall not be transported in any road vehicle carrying passengers.

(g) Every lorry, cart or other means of conveyance carrying any explosive substances shall, during a thunderstorm, halt not less than 300 yards from any inhabited building.

Road  
Transportation  
of explosive  
substances.

9A.— Nothing which is included in this Part of Regulations may prevent the application of the provisions of the Road Transportation of Dangerous Goods Law.

Transport of  
explosive  
substances  
by Railway.

10.—(a) No person shall send for carriage by Railway any consignment of explosive substances unless he shall have given 48 hours' notice in writing to the officer in charge of the Railway Station, of his intention to send such consignment and stating the true name, description, quantity and mode of packing of the explosive substances to be conveyed together with his own name and address and that of the consignee, and unless he shall have received intimation in writing from an authorized officer of the Railway, that such consignment will be accepted for transport together with an intimation of the time it will be received.

(b) No explosive substances which the Railway Administration may by any notice or regulation notify that they will not receive for transport, shall be brought, sent or forwarded to or upon any premises of the Railway.

(c) Any explosive substances transferred by the Railway shall be removed by the consignee from the receiving station immediately after arrival. If this condition is not complied with, the Railway may effect delivery at the risk and expense of the consignee or make special storage arrangements for the storage of such explosive substances at the risk and expense of the consignee.

(d) The Railway Administration or its officials may refuse to accept or receive any consignment of explosive substances sent in contravention of these Regulations or may return or make special arrangements to store such consignment at the risk and expense of the sender.

(e)—(i) Not more than one vehicle containing explosive substances may be attached to a train conveying passengers and only provided that such vehicle contains not more than two-thirds of its normal load and shall have been specially built, constructed, or adapted for the conveyance of explosive substances, and that no other wagon containing petroleum Class A or dangerous petroleum is on the train.

(ii) Any such wagon containing explosive substances shall be placed at the end of the train away from the locomotive with not less than five intervening vehicles not loaded with traffic of any inflammable nature.

(f) No explosive substances shall be conveyed by any train conveying passengers save in the manner hereinbefore prescribed, except of the kinds and in the manner hereinafter specified :—

- (i) Safety cartridges,  
Percussion caps,  
Safety fuses,  
Fog signals,

which may be conveyed in ordinary covered wagons or carriages.

(ii) Dynamite or any other high explosive which may be carried in an ordinary covered wagon or compartment in the form of cartridges to the limit of 10 lbs., provided that no detonators are carried in the same wagon or compartment and provided that it is safely packed in double packing, the inner packing to be without metal and the outer packing to be waterproof.

(iii) Detonators which may be carried in any ordinary wagon or compartment to a limit of 200, provided that no dynamite is carried in the same wagon or compartment.

(iv) Sporting gunpowder, gunpowder, blasting powder or non-safety cartridges which may be carried in an ordinary covered wagon or compartment, so long as they are packed in double cases, in canisters or suitable cases within, and stout wooden cases without and are properly sparkproof, provided that no single case shall contain more than 30 lbs., and the total consignment shall not exceed 90 lbs.

(g) Packages containing explosive substances whether in one wagon attached to a train conveying passengers or in several wagons by special or goods train, shall be so stowed and packed as to prevent movement in transit.

(h) Wagons containing explosive substances shall be loaded and unloaded as far away from buildings as possible.

(i) When shunting, the speed shall not exceed a walking pace and at least three empty wagons or wagons containing non-inflammable traffic, shall be between the locomotive and the wagon containing explosive substances.

(j) Wagons containing explosive substances shall be locked.

Penalty.

11.—(1) Any person committing a breach of this Part of these Regulations shall be guilty of an offence and shall be liable to imprisonment not exceeding twelve months or to a fine not exceeding fifty pounds or both.

(2) The Inspector of Explosives or any person duly authorized by him shall have power to make such examination and enquiry as may be necessary for the purpose of ascertaining and ensuring compliance of this Part of these Regulations.

#### PART IV.

#### STORAGE OF EXPLOSIVE SUBSTANCES OTHER THAN BLASTING POWDER, GUNPOWDER AND AMMUNITION.

Interpre-  
tation.

12. For the purposes of this Part of these Regulations:—

“explosive substances” means any explosive substance other than blasting powder, gunpowder, ammunition or fireworks

Explosives  
magazine,  
general  
construction.

13.—(a) Every magazine for the storage of explosive substances in bulk (in these Regulations referred to as an “explosives magazine”) shall be substantial buildings, capable of being made properly secure against unlawful entry.

(b) Every explosives magazine shall be so constructed as to conform with one of the following conditions:—

(i) it may be cut into a rock in the side of a hill and lined with bricks or masonry; or

(ii) the buildings may be of stone, concrete, timber or corrugated iron or any combination thereof: Provided that all walls, floors and ceilings shall be properly covered with close boarding or other approved material that will prevent any grit becoming detached.

(c) In every explosives magazine partitions and shelves shall be of timber with all copper nails and brass screws countersunk and the holes filled.

(d) Every explosives magazine shall be divided into two compartments as follows:—

(i) a main storage chamber,

(ii) a small antechamber immediately upon entrance to the magazine.

The main storage chamber shall be stoutly partitioned off from the small antechamber and entrance thereto controlled independently from the main entrance to the magazine. The doors of chambers (i) and (ii) shall be fitted with separate locks, the keys of which shall be of an entirely different and independent construction. The door of chamber (i) may be made of wood with hinges fitted on the outside. The door of chamber (ii) shall be covered on the outside with a mild steel plate of not less than  $\frac{1}{8}$  inch thickness.

(e) Every explosives magazine shall be constructed with one entrance only, and shall have no window.

(f) Every explosives magazine shall be so constructed as to ensure and maintain proper drainage, a good ventilation, an even temperature and shall always be kept dry.

(g) All electrical wiring in an explosives magazine shall be installed in a rigid conduit with screwed waterproof joints and such conduit shall be permanently grounded.

(h) No aerial or below-ground power line other than that for carrying light to an explosives magazine shall be carried at a closer distance than 100 feet from an explosives magazine.

(i) Every explosives magazine shall be provided with an efficient lightning conductor.

(j) There shall be kept in every explosives magazine a reliable Maximum and Minimum thermometer.

(k) A separate and distinct building must be provided for the storage of detonators at a distance of not less than 50 feet from the main explosives magazine; such building shall be of similar construction to the main magazine.

(l) Every explosives magazine, other than a magazine used for the storage of detonators only, shall be surrounded by a substantial earthen mound which shall be—

(i) at least as high as the eaves of the roof of the building;

(ii) not less than 3 feet wide at the top;

(iii) at a distance of not more than 3 feet from the magazine, which distance shall be measured from the foot of the interior slope of the mound.

The exterior slope of such mound shall be at the natural slope of the earth and the entrance to the magazine through the mound shall be in a broken line.

(m) A danger notice in English, Greek and Turkish which shall read "Beware, Explosives Magazine" shall be posted in a conspicuous place in the vicinity of every explosives magazine.

14. A fence shall be erected not less than 50 yards from and completely surrounding every explosives magazine and no smoking shall be allowed within this enclosure, a notice to that effect being prominently displayed thereat. No cultivation, shrubs, weeds or rubbish of any description shall be permitted within the said enclosure. Enclosure.

15. Any person desiring to construct an explosives magazine shall make application to the Inspector of Explosives in the Form "D" in the First Schedule to these Regulations, furnishing in full the particulars set forth therein, and shall forward a plan, drawn to a scale not less than 1/500 shewing the position of the proposed site for the magazine, and a further plan drawn to a scale of 1 inch to 1 foot shewing the constructional details of the proposed magazine. Application for licence to construct an explosives magazine.

16. The Inspector of Explosives if satisfied that the site chosen is appropriate and that the proposed magazine is suitable for the quantity of explosive substances it is desired to store, may give a permit in writing for the construction of the magazine in accordance with the specifications previously approved by him: Provided that nothing in such permit contained shall be deemed— Permit to construct an explosives magazine.

(a) to authorize the use of the magazine for the storage of explosive substances until such magazine shall have been inspected by the Inspector of Explosives and until the necessary licence to store explosive substances therein has been obtained;

(b) to exempt the applicant from complying with the provisions of any Law or other Regulations relating to the construction of buildings, in force for the time being.

Licensing of explosives magazine.

17. The Inspector of Explosives having inspected and approved an explosives magazine may issue a licence to store and keep therein explosive substances, and such licence shall be in the Form "E" in the First Schedule to these Regulations.

Major Accidents Hazards.

17A.- Nothing which is included in this Part of Regulations may prevent the application of the provisions of the Control of Major Accidents Hazards Related to Dangerous Substances Regulations.

Monthly returns.

18. The holder of a licence to store explosive substances in bulk shall at the end of each month render a return to the Inspector of Explosives, Nicosia, shewing the quantity of each type of explosive substance that has come into the magazine during such month, and the quantity used, and remaining on hand at the end of such month.

No litter or inflammable material in explosives magazine.

19. All explosives magazines shall be kept free from litter and inflammable material.

Precautions against fire and explosion.

20. Every licensee of an explosives magazine and every person employed in or about any such magazine shall take all due precautions for the prevention of accidents by fire or explosion in the same, and for preventing unauthorized persons from having access to the magazine or the explosive substances therein, and shall abstain from any act which may tend to cause fire or explosion and from any other act which is not reasonably necessary for the purpose of the work in such magazine.

Regulation of magazines.

21.-(a) An explosives magazine and every part thereof shall be maintained in accordance with the terms and conditions contained in the licence, and no material alterations in the magazine by enlarging or adding to the site, or by externally enlarging or adding to any building, or by altering any mound otherwise than by enlargement, or by making any new work shall be made except in pursuance of a permit in writing of the Inspector of Explosives previously obtained: Provided that nothing in any such permit contained shall be deemed to exempt the licensee of such magazine from complying with the provisions of any Law or any other regulations relating to the construction of buildings in force for the time being.

(b) Whenever it is necessary to repair any magazine, the explosive substances shall be removed to a safe distance therefrom until the repairs are completed.

(c) The main entrance door of an explosives magazine and the door of the small antechamber mentioned in Regulation 13 (d) (ii) shall, except for the purposes of receiving or issuing explosive substances or for the purpose of the inspection of the magazine, be kept securely locked. The key of the main entrance door and the key of the small antechamber shall not be kept by the same person, but each key shall be kept by a separate and responsible person.

(d) Where an accident by explosion or fire or by any other cause has occurred in and wholly or partly destroyed an explosives magazine, the magazine shall not be reconstructed, and any further supply of explosive substances shall not be put therein except with the permission in writing of the Inspector of Explosives or some person duly authorized by him.

(e) Every explosives magazine shall be used only for the keeping of explosive substances, and for receptacles or implements for work connected with the keeping of such explosive substances.

(f) The tools or implements used in an explosives magazine shall not be kept in the same compartment with explosive substances, but may be stored in the small antechamber mentioned in Regulation 13 (d) (ii) of these Regulations.

(g) All tools or implements for work connected with the keeping of explosive substances shall be made only of wood or copper or brass, or some soft metal or material, or shall be covered with approved material.

(h) Explosive substances shall be used, as far as practicable, in the same rotation as they are received.

(i) Explosive substances shall not be stored in the same explosives magazine or place as blasting powder, gunpowder or ammunition.

(j) Explosive substances and detonating substances shall not be kept in, or be allowed to be taken into the same explosives magazine.

(k) No person shall smoke within the explosives magazine or within a radius of 50 yards of it or its enclosure.

(l) No person under the age of sixteen ~~years~~ shall be employed in or enter any explosives magazine.

(m) Pieces of explosive substances, scraps or broken portions of cartridges shall not be placed or left lying loose anywhere in any explosives magazine, but shall be kept in a special receptacle provided for that purpose in such magazine.

(n) The floor of every explosives magazine shall always be kept clean.

(o) No naked light shall be taken into any explosives magazine.

(p) The licensee of an explosives magazine shall be responsible for the exercise of complete control and supervision of the magazine, so that none of the explosive substances stored therein fall into other hands or are used for other than lawful purposes.

Seizure of  
explosive  
substances.

22.- (1) The Inspector of Explosive Substances may seize any explosives substances which he reasonably suspects are unsuitable for use.

(2) The Inspector of Explosive Substances may destroy the seized explosives substances with the consent of their owner or after their confiscation in accordance with section 12A of the Law.

23. All magazines or buildings used for the storage of explosive substances shall be opened without let or hindrance to inspection and examination by the Inspector of Explosives or by any other person appointed by the Governor to inspect such magazines or buildings.

Inspection  
of magazines.

24. At every magazine or building used for the storage of explosive substances there shall be kept a book showing full particulars of all receipts and issues of explosive substances. Such book, shall be in the Form "F" in the First Schedule to these Regulations and shall be balanced at the end of each month and shall be open to inspection by the Inspector of Explosives or any Police officer at any time.

Book of  
receipts and  
issues.

25.—(a) Whenever an accident occurs at any explosives magazine, from any cause whatsoever, which results in material damage to any part of the explosives magazine, or in the loss of or damage to the explosive substances therein, or in the death of or in serious personal injury to any person or persons employed in the explosives magazine, the licensee of the magazine shall immediately give notice of such accident to the Inspector of Explosives: provided that the giving of such notice shall in no case exempt the licensee from also giving notice of any such death in accordance with any Law in force for the time being relating to inquests and enquiries into the cause of death from non-natural causes.

Reporting  
of accidents  
to or in  
explosives  
magazines.

(b) Whenever an accident occurs as mentioned in paragraph (a) hereof the place where the accident occurred shall not be disturbed or altered before the arrival or without the consent, of the Inspector of Explosives, unless such interference is unavoidable to prevent further accidents, to remove injured persons or to rescue persons from danger.



Regulations and licence to be posted.

26. A copy of these Regulations and of the licence for the storage of explosive substances issued under Regulation 17 of these Regulations shall be posted or hung where they can most conveniently be seen and read at each explosives magazine.

Examination of persons to be employed in the handling of explosive substances.

27.—(a) The licensee of a magazine for the storage of explosive substances in bulk, shall not allow any person or persons to handle or transport explosive substances unless such person or persons are in possession of a Certificate of Competency granted by the Inspector of Explosives.

(b) A Certificate of Competency shall be in the Form "G" in the First Schedule to these Regulations and shall be granted by the Inspector of Explosives only after such examination of the person to be employed in the handling of explosive substances as to the Inspector of Explosives may seem fit.

(c) In the case of persons employed in mines a Certificate of Competency to handle explosive substances may be granted after examination by the manager of the mine, if in the opinion of the Inspector of Explosives such manager of a mine is sufficiently qualified to conduct such examination and the Inspector of Explosives authorizes such manager to conduct such examination.

(d) No Certificate of Competency shall be granted to any person under the age of sixteen years.

(e) The Inspector of Explosives shall at any time have the right to examine any holder of a Certificate of Competency and may suspend or cancel such certificate, if in his opinion the holder has shown himself incompetent or is guilty of inattention or gross negligence in the execution of his duties, or of any misconduct, or is suffering from any physical infirmity likely to be detrimental to the efficient discharge of his duties. Any suspension of a Certificate of Competency may be noted on the certificate.

(f) It shall be an offence for any person to transfer or accept transference of any Certificate of Competency.

Penalty.

28. Any person committing a breach of this Part of these Regulations shall be guilty of an offence and shall be liable to imprisonment not exceeding twelve months or to a fine not exceeding fifty pounds or both.

#### PART V.

#### STORAGE OF BLASTING POWDER, GUNPOWDER AND AMMUNITION.

"Application for licence to store.

29. Any person or persons desiring to store blasting powder, and any person or persons desiring to store gunpowder or ammunition in quantities in excess of the maximum permissible quantities under a Firearms Licence shall make application to the Inspector of Explosives for a licence; such application shall be in the Form 'H' in the First Schedule to these Regulations."

"Licence to store.

30. If the Inspector of Explosives approves the application so submitted he may issue a licence to store blasting powder, gunpowder or ammunition and such licence shall be in the Form 'E' in the First Schedule to these Regulations."

Major Accidents Hazards.

30A.- Nothing which is included in this Part of Regulations may prevent the application of the provisions of the Control of Major Accidents Hazards Related to Dangerous Substances Regulations.

Monthly returns.

31. The holder of a licence to store blasting powder, gunpowder or ammunition shall at the end of each month render a return to the Inspector of Explosives, Nicosia, shewing the quantity of each type of explosive substance that has been received into the place of storage during such month, the quantity used or sold and the quantity remaining on hand at the end of such month.

"Storage of blasting powder, gunpowder and ammunition.

32. Blasting powder, gunpowder or ammunition stored under a licence granted under this Part of these Regulations, shall be stored in the building mentioned therein in separate fireproof containers, adequately spaced one from the other and secured from the inside to the floor or walls of the building:

Provided that all containers shall be fitted with a substantial lock, the keys of which shall be held by the person in charge of the premises, and that such containers shall only be unlocked when stocks are being placed into or removed therefrom."

"Safety fuse, fireworks equivalent.

32A. Where any licence is issued in respect of gunpowder the following equivalents shall apply :-

1 lb. gunpowder may be represented by 4 lbs. of manufactured fireworks.

1 lb. gunpowder may be represented by 250 feet of safety fuse.

1 lb. gunpowder may be represented by 5 lbs. of percussion caps."

33. Any building or place where blasting powder, gunpowder or ammunition are being stored shall be kept clean and free from litter and inflammable material.

No litter or inflammable material in stores for blasting powder, etc.

34. Every holder of a licence to store blasting powder, gunpowder or ammunition and every person employed in or about any building or place where storage of such explosive substances is effected shall take all due precautions for the prevention of accidents by fire or explosion in such building or place, and for preventing unauthorized persons from having access to such building or place and the explosive substances therein, and shall abstain from any act whatever which may tend to cause fire and explosion and from any other act which is not reasonably necessary for the purpose of the work in such building or place.

Precautions against fire and explosion.

35.—(a) Every building or place where blasting powder, gunpowder or ammunition is stored shall be maintained in accordance with any conditions contained in the licence; and no material alterations to such building or place by enlarging or adding to the site or by in any way altering any such building or place shall be made except in pursuance of a permit in writing of the Inspector of Explosives previously obtained: Provided that nothing in any such permit contained shall be deemed to exempt the licensee of any such building or place from complying with the provisions of any law or any other regulations relating to the construction of buildings, in force for the time being.

Regulation of buildings and places of storage.

(b) Whenever it is necessary to repair any building or place where blasting powder, gunpowder or ammunition is stored, such blasting powder, gunpowder and ammunition shall be removed to a safe distance from such building or place until the repairs are completed.

(c) Where an accident by explosion or fire or by any other cause has occurred in and wholly or partly destroyed any building or place where blasting powder, gunpowder or ammunition are being stored, such building or place shall not be reconstructed and no further supply of such explosive substances placed therein except with the permission in writing of the Inspector of Explosives or some person duly authorized by him.

(d) Blasting powder, gunpowder or ammunition shall be issued, as far as practicable, in the same rotation as they are received.

(e) No person shall smoke within any building or place where blasting powder, gunpowder or ammunition are being stored.

(f) No person under the age of sixteen years nor any female shall be employed in or enter any building or place where blasting powder, gunpowder or ammunition are being stored.

Seizure of blasting powder, gun powder or ammunition.

36.- (1) The Inspector of Explosive Substances may seize any blasting powder, gun powder or ammunition which he reasonably suspects is unsuitable for use.

(2) The Inspector of Explosive Substances may destroy the seized blasting powder, gun powder or ammunition with the consent of their owner or after their confiscation in accordance with section 12A of the Law.

Inspection of storage buildings or places.

37. All buildings or places used for the storage of blasting powder, gunpowder or ammunition shall be opened without let or hindrance to inspection or examination by the Inspector of Explosives or by any other person appointed by the Governor for that purpose.

Reporting of accidents to or in storage buildings or places for blasting powder, etc.

38.—(a) Whenever an accident occurs at any building or place where blasting powder, gunpowder or ammunition are stored from any cause whatsoever, which results in material damage to any part of such building or place, or in the loss or damage to any such substance stored therein, or in the death or serious personal injury to any person or persons employed in such building or place, the licensee of the building or place shall immediately give notice of such accident to the Inspector of Explosives: Provided that the giving of such notice shall in no case exempt the licensee from also giving notice of any such death in accordance with the Law in force relating to inquests and enquiries into the cause of death from non-natural causes.

(b) Whenever an accident occurs as mentioned in paragraph (a) hereof the place where the accident occurred shall not be disturbed or altered before the arrival or without the consent, of the Inspector of Explosives unless such interference is unavoidable to prevent further accidents, to remove injured persons or to rescue persons from danger.

Regulations and licence to be posted.

39. A copy of these Regulations and of the licence for the storage of blasting powder, gunpowder or ammunition issued under Regulation 30 of these Regulations shall be posted or hung at each building or place wherein blasting powder, gunpowder or ammunition are stored.

39A.—(1) The provisions of this Part shall apply, so far as relevant, to the storage of fireworks.

(2) The Inspector of Explosive Substances may exempt any type of firework from this Part by specifying it as exempt in any list that he establishes in accordance with section 4B of the Explosive Substances Act.

Penalty.

40. Any person committing a breach of this Part of these Regulations shall be guilty of an offence and shall be liable to imprisonment not exceeding twelve months or to a fine not exceeding fifty pounds or both.

## PART VI.

### SALE OF EXPLOSIVE SUBSTANCES (OTHER THAN BLASTING POWDER, GUNPOWDER AND AMMUNITION).

Interpretation.

41. For the purposes of this Part of these Regulations—  
“explosive substances” means any explosive substance other than blasting powder, gunpowder or ammunition.

Licence to sell explosive substances.

42. The licensee of an explosives magazine shall not sell or in any way dispose of any quantity of explosive substances unless such licensee is the holder of a licence to sell such explosive substances. Such licence shall be in the Form “I” in the First Schedule to these Regulations.

Purchase or possession of explosive substances.

43. No person shall purchase or shall be in possession of any explosive substances unless such person is the holder of a certificate of competency granted under Regulation 27 of these Regulations, and the holder of a licence to sell explosive substances shall not sell or in any way dispose of any quantity of explosive substances to any person unless such person is the holder of a Certificate of Competency granted under Regulation 27 of these Regulations.

Book of sales.

44. Every holder of a licence for the sale of explosive substances shall keep a book in accordance with Regulation 24 of these Regulations.

45. Any theft or loss of any explosive substance shall immediately be reported by the person first discovering such theft or loss to the person in immediate charge of such explosive substances and the holder of a licence to sell explosive substances shall immediately report such theft or loss to the nearest Police officer and to the Inspector of Explosives. Thefts and losses.

46. Any person who shall sell any quantity of explosive substances except in accordance with this Part of these Regulations shall be guilty of an offence and shall be liable to imprisonment not exceeding twelve months or to a fine not exceeding fifty pounds or both. Penalty.

PART VII

SALE OF BLASTING POWDER, GUNPOWDER, ~~AND~~   
 ~~or fireworks~~ AMMUNITION AND FIREWORKS

47. (a) Every person desiring to sell blasting powder, gunpowder, or ammunition shall be in possession of a licence, and such licence shall be in the Form "I" in the First Schedule to these Regulations. Licence to sell blasting powder, etc.

(b) The holder of a licence to keep and sell blasting powder shall not sell or in any way dispose of any quantity of blasting powder to any person unless such person is the holder of a Certificate of Competency granted under Regulation 27 of these Regulations.

48. Every holder of a licence to sell blasting powder or gunpowder shall keep a book wherein he shall enter full particulars of all receipts and issues of blasting powder or gunpowder. Such book shall be in the Form "F" in the First Schedule to these Regulations and shall be balanced at the end of each month and shall be open to inspection by the Inspector of Explosives or any Police officer at any time. Book of receipts and issues of blasting powder and gunpowder.

49. The Ammunition Stock Book and the Ammunition Sales Register to be kept by a dealer in cartridges or any other description of ammunition as provided in section 5 of the Explosive Substances Law, 1939, shall be in the Forms "J" and "K" respectively in the First Schedule to these Regulations. Ammunition Stock Book and Ammunition Sales Register.

Sale of fireworks.

49A. Every holder of a licence to sell fireworks shall keep a book wherein he shall enter full particulars of all receipts and sales of fireworks which shall be balanced to show the amount of fireworks remaining unsold at the end of each month, and such book shall be open to inspection by the Inspector of Explosives or any police officer at all times."

50. Any theft or loss of blasting powder, gunpowder, and ammunition shall immediately be reported to the person in immediate charge of such explosive substances and the holder of a licence to sell such substances shall immediately report such theft or loss to the nearest Police officer and to the Inspector of Explosives. Thefts and losses.

50A. — (1) The provisions of this Part shall apply, so far as relevant, to the sale of fireworks.

(2) The Inspector of Explosive Substances may exempt any type of firework from this Part by specifying it as exempt in any list that he establishes in accordance with section 4B of the Explosive Substances ~~Law~~.

51. Any person who shall keep, sell or be in possession of blasting powder or gunpowder, except in accordance with this Part of these Regulations shall be guilty of an offence and shall be liable to imprisonment for a term not exceeding twelve months or to a fine not exceeding fifty pounds or both.

## PART VIII

## USE OF EXPLOSIVE SUBSTANCES.

52. Blasting powder shall not be used for any other purpose than to carry out blasting operations and no person shall in any way keep, sell, buy or be in possession of any quantity of blasting powder except for blasting operations.

Persons handling and using explosive substances to be certificated.

Responsibility of person in charge.

Responsibility of holders of certificates of competency.

Special requirements.

Preparation of charges for blasting purposes.

53. No person shall handle or use any explosive substance for blasting operations unless such person is the holder of a Certificate of Competency granted by the Inspector of Explosives under Regulation 27 of these Regulations.

54. Every person to whom a Certificate of Competency is granted under Regulation 27 of these Regulations shall be personally responsible for the handling, care and use of explosive substances while in his charge or under his supervision.

55. Holders of Certificates of Competency to handle explosive substances and to conduct blasting operations shall observe and shall be responsible for the observance of the following regulations:—

- (a) Explosive substances shall not be carried about either on the surface or underground except in sound, unopened cases of origin or in other boxes or sacks of stout canvas approved by the Inspector of Explosives.
- (b) Detonators shall not be carried about in the same box or canvas sack as other explosive substances; nor shall the same person be permitted to carry detonators with other explosive substances.
- (c) No person whilst carrying explosive substances shall carry any naked light, but may be accompanied at a safe distance by another person carrying such light.
- (d) No smoking shall be allowed when handling explosive substances nor at any time shall a naked light be set above nor anywhere within 3 feet of any explosive substance.
- (e) Cases of high explosive (dynamite, gelignite, etc.), shall only be opened by means of brass or wooden wedges and wooden mallets.

56.—(a) The date of the manufacture of the explosives shall be stamped on all cases containing such explosives.

(b) The date of the manufacture and burning rate per minute of the fuses shall be stated on every packet containing such fuse or on the ticket attached thereto.

(c) No larger quantity of explosives shall be taken into a working face than the quantity required for use during one shift in such face, and no explosives shall be taken to the working face until they are required.

(d) When work is discontinued in any mine, all explosives stored underground shall be removed.

57.—(a) The preparation of all charges required for blasting purposes shall not be made in any magazine, but shall be conducted in such a place approved by the Inspector of Explosives.

(b) Detonators shall be attached to the fuse by means of properly designed pliers of a pattern approved by the Inspector of Explosives.

(c) For purposes of blasting in wet places detonators shall be properly waterproofed after attachment to the fuse.

(d) When low grade explosive substances in cartridge form are employed the cartridge commonly known as primer cartridge may be bored, with an implement approved by the Inspector of Explosives, and the fuse with the attached detonator inserted during the preparation of charges.

(e) The primer cartridge with the fuse and attached detonator shall in no case be transported in the same conveyance or carried in the same receptacle as other explosive substances.

(f) When blasting with nitro-glycerine or any other high grade explosive substance the fuse with the attached detonator shall not be inserted into the primer cartridge except immediately before use.

(g) No fuse less than two feet in length shall in any circumstance be used.

(h) No person shall smoke and all naked lights shall be removed to a safe distance, during the preparation of charges.

(i) When charging or stemming holes for blasting, wooden or copper rods only shall be used.

(j) Soft gouge or clay shall only be used for tamping purposes and no tamping shall be inserted between cartridges of explosives.

(k) In firing charges only lighting torches, of a type approved by the Inspector of Explosives, shall be used.

58.—(a) In mines, blasting operations shall only be conducted at specified times, and notice of such times shall be posted at a conspicuous place at every entrance to the mine. Blasting operations.

(b) In the case of opencast workings notice of such times of blasting shall be posted at conspicuous places at all approaches to the workings.

(c) When firing charges underground, due notice shall be given to all persons working in the vicinity, and persons shall be stationed to forewarn anyone who might approach.

(d) When firing charges on surface, all possible approaches to such places at which charges are being fired shall be effectively safeguarded to prevent any inadvertent access to such places.

(e) At least two persons shall be responsible for counting the number of shots exploding when charges have been lighted. Unless both persons are certain that all shots have exploded, no person shall approach nor be allowed to approach the place or places at which the charges have been fired until the expiry of at least thirty minutes from the time of lighting the fuses.

(f) In any mine or underground working no person shall drill or cause or permit to be drilled any hole in any drive, cross cut, winze, raise or other similar confined space where there is a misfired hole until such misfired hole has again been blasted.

(g) No person shall extract or attempt to extract explosive substances from a hole which has once been charged.

(h) No person shall withdraw or attempt to withdraw the tamping from a hole which has once been charged, except that tamping may be withdrawn so far as will allow of a missed shot being fired.

(i) No person shall deepen any hole or portion of a hole which has contained explosives and no person shall drill in the remaining portion of a hole or socket in which a charge of explosives has been previously exploded.

(j) No person shall drill or cause or permit to be drilled any hole leading to a socket unless such hole is placed more than six inches from the socket and given such a direction that it cannot come nearer to the socket or the line of direction thereof than six inches. The direction

of any such socket shall be ascertained by placing a brass, copper or wooden rod therein, or by washing out with water.

(k) All places in which there have been any blasting operations, before being abandoned shall be thoroughly examined to ascertain that there are no misfired or cut off holes remaining in the face and a record of such examination shall be made and a similar examination shall be made and a similar record kept when work is temporarily suspended.

(l) No person shall re-charge any hole which has been fired until it has been thoroughly cooled or washed out with water.

Dangerous  
or defective  
practices.

59.—(a) If the Inspector of Explosives discovers that any thing or any practice in any way connected with explosive substances is dangerous or defective or that the absence of any thing or practice is calculated to cause bodily harm or to be injurious to the health of any person, the Inspector of Explosives may give notice, in writing, to the holder of any licence granted under these Regulations stating the particular thing, matter or practice which he requires to be done or not to be done, or observed or discontinued, and may give such instructions relative thereto as he may deem expedient.

(b) The holder of any licence granted under these Regulations shall, upon receipt of such notice forthwith proceed to carry out the instructions contained therein, and upon execution notify the Inspector of Explosives, in writing, of his compliance with the same.

Penalty.

60. Any person committing a breach of this Part of these Regulations shall be guilty of an offence and shall be liable to imprisonment not exceeding twelve months or to a fine not exceeding fifty pounds or both.

#### PART IX.

High  
explosives.

61.—(1) Notwithstanding anything in these Regulations contained no person shall sell and no person shall purchase any high explosives save where the purchaser is the holder of a licence issued by the Inspector of Explosives authorizing such person to purchase high explosives. Such licence shall be in the Form "L" in the First Schedule to these Regulations.

(2) Any person who shall sell and any person who shall purchase any high explosives save in accordance with the provisions of paragraph (1) of this regulation shall be guilty of an offence and shall be liable to imprisonment not exceeding twelve months or to a fine not exceeding fifty pounds or both.

(3) For the purpose of this regulation —

(a) the Inspector of Explosive Substances shall determine which types of explosives are to be regarded as high explosives;

(b) any fireworks which are to be regarded as high explosives shall be referred to as such in any list established by the Inspector of Explosive Substances in accordance with section 4B of the Explosive Substances ~~Act~~.

Transitional  
Provisions.

61A.— (1) For the purposes of this Regulation, explosive substances are those which are determined in the Convention on the Marking of Plastic Explosives for the Purposes of Detection (Replication) Law.

(2)(a) It is lawful until 21 of June 2005, to store, transport, trade or use the explosive substances which are not conformed to the provisions of the Convention on the Marking of Plastic Explosives for the Purposes of Detection (Replication) Law, provided that those substances has been imported or manufactured lawfully to the Republic before the date of application of the aforesaid law and the Inspector of Explosive Substances has given a written approval for those explosive substances.

(b) The holders of the explosive substances which are not conformed to the provisions of the Convention on the Marking of Plastic Explosives for the Purposes of Detection (Replication) Law have to take care for the consumption or the marking of these substances according with the provisions of the aforesaid law before the date mentioned in paragraph (1) and notify in writing their actions to the Inspector of Explosive Substances.

The holder of the explosive substances, who is not able to act as prescribed above, has to destroy the explosive substances at the presence of the Inspector of Explosive until the aforesaid date.

(3) It is lawful for the Inspector of Explosive Substances to seize any explosives substances for which he reasonably suspects that the provisions of paragraph (2) of this Regulation have not been or are not being kept.

(4) The Inspector of Explosive Substances or any authorized representative of him may destroy the seized explosives substances with the consent of their owner or after their confiscation in accordance with section 12A of the Explosive Substances Law.

(5) Any person who breaches the provisions of paragraph (2) of this Regulation shall be guilty of an offence and liable upon conviction to imprisonment of twelve months or a fine of one thousand pounds or to both such penalties.

Revocation,  
amendment and  
termination of  
licences or  
approvals.

62.- (1) Keeping the provisions of the General Principles Administrative Law, the Inspector of Explosive Substances may revoke or amend any licences or approvals granted in accordance with the Explosive Substances Law and these Regulations, after he has served a written notification on the licence or the approval holder which shall detail the action he propose to take, explain the reason for his proposed action and refer to the holder's rights in accordance with paragraph (2).

(2) On receipt of a notification issued in accordance with paragraph (2) the receiver has the right to make written representations to the Inspector of Explosive Substances, provided that within 7 days of receipt of the notification, he notifies in writing to him his wish to exercise this right. The written representations shall be submitted within 21 days of receipt of the notification.

(3) The Inspector of Explosive Substances shall examine any representations made to him in accordance with paragraph (2) and shall then decide whether to revoke or amend the relevant licence or approval.

(4) The Inspector of Explosive Substances may terminate or refuse to grant a licence or approval to any person who has been convicted of an offence created by the Explosive Substances Law or these Regulations.

62A. Any person who, being the holder of a licence or approval granted under the Explosive Substances Law or these Regulations, contravenes any condition of that licence or approval shall be guilty of an offence and liable upon conviction to imprisonment of 12 months or a fine of £1000 or to both such penalties."

Fees.

63. The fees specified in the Second Schedule to these Regulations shall be paid in such manner as the Inspector of Explosives may direct, in respect of the several matters therein mentioned.

63A. Any fees which are paid in accordance with these Regulations shall not be refunded by the Inspector of Explosive Substances in the event that he refuses to grant the licence or approval applied for."

Saving.

64. Nothing in these Regulations contained shall be deemed to apply to any ammunition or cartridges stored in the manner specified in section 5 (5) of the Explosive Substances Law, 1939.



FIRST SCHEDULE.

FORM "A"

(Regulation 2.)

LICENCE TO IMPORT EXPLOSIVE SUBSTANCES.

(Not transferable.)

LICENCE is hereby granted to .....  
.....  
of .....  
to import the following kind of explosive substances.....  
.....  
.....

subject to the conditions hereunder set forth :—

CONDITIONS.

.....  
.....  
.....

Date....., 19.....

Inspector of Explosives.

FORM "B"

(Regulation 7.)

LICENCE TO MANUFACTURE EXPLOSIVE SUBSTANCES.

(Not transferable.)

LICENCE is hereby granted to .....  
.....  
to manufacture the following kind of explosive substances.....  
.....  
.....

subject to the conditions hereunder set forth :—

CONDITIONS.

.....  
.....  
.....

This licence expires on the 31st day of December following the date of issue.

Fee paid : £5.

Date....., 19.....

Inspector of Explosives.

FORM "C".

(Regulation 8.)

LICENCE TO MANUFACTURE LEAD SHOT.

(Not transferable.)

LICENCE is hereby granted to .....  
of .....  
to manufacture the following kind of lead shot .....  
.....  
at .....  
subject to the conditions hereunder set forth:—

CONDITIONS.

.....  
.....

This licence expires on the 31st day of December following the date of issue.

Fee paid: £2.

Nicosia,

Date....., 19.....

Inspector of Explosives.

FORM "D".

(Regulation 15.)

APPLICATION FOR LICENCE TO CONSTRUCT A MAGAZINE FOR EXPLOSIVE SUBSTANCES

(OTHER THAN BLASTING POWDER, GUNPOWDER AND AMMUNITION).

Name of applicant.....  
Address.....  
Proposed locality of magazine.....  
Nature and maximum quantity of explosive substances to be stored.....  
.....  
Type of magazine (adit or building).....  
Details of construction.....  
.....

Date....., 19.....

Signature of Applicant.

Application approved.

Date....., 19.....

Inspector of Explosives.



FORM " G "

(Regulation 27.)

CERTIFICATE OF COMPETENCY

(Not transferable.)

This is to certify that..... of..... has been examined, and is considered a fit and competent person :

- (a) To transport and handle explosive substances ;
(b) To conduct blasting operations with blasting powder in grain ;
(c) To conduct blasting operations with high explosives (i.e. dynamite, gelignite, etc.).

Nicosia,..... 19.....

Inspector of Explosives.

Signature of Holder.

FORM " H "

(Regulation 29.)

APPLICATION FOR LICENCE TO STORE BLASTING POWDER, GUNPOWDER OR AMMUNITION IN BULK.

Name of applicant.....

Address.....

Proposed locality of storage building.....

Nature of explosive substances to be stored.....

Maximum quantity to be stored.....

Date....., 19.....

Signature of Applicant.

Application approved.

Date....., 19.....

Inspector of Explosives.

**FORM "I".**  
*(Regulations 42 and 47.)*  
**LICENCE TO SELL EXPLOSIVE SUBSTANCES.**  
*(Not transferable.)*

LICENCE is hereby granted to.....  
 .....  
 of.....  
 to sell the following kinds of explosive substances.....  
 .....  
 subject to the conditions hereunder set forth :—

**CONDITIONS.**

This licence expires on the 31st day of December following the date of issue.

Fee paid : £1.

Nicosia,

Date....., 19.....

Inspector of Explosives..

**FORM "J".**  
*(Regulation 49.)*  
**AMMUNITION STOCK BOOK.**

Date of receipt	Name and address of person or persons from whom received or imported	Description and quantity of cartridges or ammunition

**FORM "K".**  
*(Regulation 49.)*  
**AMMUNITION SALES REGISTER.**

Date of purchase	Name and address of purchaser	Number and date of Purchaser's		Quantity and description of cartridges or ammunition purchased	Name of seller
		Certificate of registration	Firearms Licence (if any).		

FORM "L".  
(Regulation 61.)

LICENCE TO PURCHASE HIGH EXPLOSIVES.  
(Not transferable.)

LICENCE is hereby granted to.....  
of.....  
to purchase the following kind of high explosives:

Quantity.....  
subject to the conditions hereunder set forth:—

CONDITIONS.

Nicosia,  
Date....., 19.....

Inspector of Explosives.

## SECOND SCHEDULE

### FEES

(Regulation 63)

	£
1. Application for the issue of a certificate of competency.	50
2. Application for the issue of a licence to store blasting powder, gun powder, ammunition, fireworks or raw materials.	60
3. Application for the issue of a licence to sell blasting powder, gun powder, ammunition, fireworks or raw materials.	60
4. Application for the grant of a licence to manufacture <del>ammunition</del> or pellets.	75
5. Application for the grant of a licence to construct a warehouse for explosive substances or raw materials.	200
6. Application for the grant of a licence to store explosive substances or raw materials.	200
7. Application for the grant of a licence to sell explosive substances or raw materials.	250
8. Application to grant a licence to manufacture ANFO or explosive substances.	200
9. Application for the grant of a special licence to purchase or transport explosive substances or raw materials.	20
10. Application for the grant of a special licence to purchase, transport and use high explosives or raw materials.	100
11. Application for the grant of a licence to transport and use explosive substances, ammunition and fireworks which have not been classified as high explosive substances or raw materials.	75
12. Application for the grant of a special licence to purchase, transport and use fireworks which are classified as high explosives.	160
13. Application for the grant of a licence to import explosive substances or raw materials.	30
14. Application for the grant of an authorisation to export explosive substances.	20
15. Application for an authorisation to export <del>ammunition</del>	
(a) for a quantity not exceeding 50,000 pieces;	5
(b) for a quantity <del>exceeding 50,000 pieces</del> not exceeding 100,000 pieces.	10
(c) for a quantity exceeding 100,000.	20
16. An application for the grant of an authorisation to transport explosive substances with the exception of ammunition and fireworks.	20