



CHAPTER 80.

An Act respecting the Manufacture, Sale, and Storage of Explosives.

HIS MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of British Columbia, enacts as follows:—

Short Title.

1. This Act may be cited as the “Explosives Regulation Act.” Short title. 1905, c. 22, s. 1.

Preliminary.

2. Every building used for the storage or keeping of any quantity of gunpowder exceeding two hundred pounds in weight, or used for the storage or keeping of any quantity of any other explosive substances exceeding ten pounds in weight, shall be deemed a powder-magazine within the meaning of this Act. R. S. 1897, c. 74, s. 2.

What shall be deemed powder-magazine.

3. This Act shall not apply to nor affect any magazine belonging to His Majesty, nor to the conveyance of gunpowder or other explosive substance or stores to and from His Majesty's magazines by His Majesty's naval or military forces. R. S. 1897, c. 74, s. 3.

Act not to apply to His Majesty's magazines, etc.

Storage and Conveyance of Explosives.

4. No powder-magazine shall be kept or erected within the limits of any city in the Province, nor within two miles thereof, except that where mines are actually existing or become established in any city or town, or within two miles of the limits thereof, it shall be lawful to maintain powder-magazines within such city or town, or within two miles of the limits thereof, provided that such magazines be not within one-quarter of a mile of any inhabited house, and, in case of any dwelling being subsequently built within that distance, such magazines be rendered absolutely safe by natural mountains

Powder-magazines not to be kept within two miles of cities, except in certain cases.

or hills or by artificial mounds of sufficient height and thickness intervening between such magazines and any such inhabited house, and provided also that the Inspector of Mines for the district shall first certify that such magazines comply with the foregoing requirements, and also except where otherwise authorised by the Lieutenant-Governor in Council. R. S. 1897, c. 74, s. 4; 1901, c. 23, s. 3.

Regulations to be made for the storage and conveyance of explosive substances.

Lieut.-Governor in Council may grant special licence for erection of powder-magazine.

5. The Lieutenant-Governor in Council may from time to time make all necessary regulations, consistent with the provisions of this Act, for the receipt, conveyance, storage, and delivery of gunpowder, or any other explosive substance, within two miles of the limits of any city; and the Lieutenant-Governor in Council may from time to time grant such special licences for the erection and maintenance of powder-magazines otherwise prohibited by this Act at such places within said limits, and upon such conditions as shall appear expedient. R. S. 1897, c. 74, s. 5; 1901, c. 23, s. 4.

Storage, etc., of explosive substances to be subject to such regulations.

6. No gunpowder or other explosive substance shall be stored, kept, conveyed, received, or delivered within two miles of any city, except in accordance with the regulations made, or to be made, by virtue of the last preceding section. R. S. 1897, c. 74, s. 6.

Explosives not to be stored within 500 yards of school-house.

7. It shall not be lawful for any powder-magazine, or store-house or place where powder or other dangerous explosive substances are kept or stored, to be or to remain within a distance of five hundred yards from any school-house or place or building used for the purposes of a school, or where scholars do or may assemble for the purposes of the "Public Schools Act." 1905, c. 44, s. 108 (*part*).

Licence to store nitro-glycerine.

8. No nitro-glycerine shall be kept in any building or elsewhere except a licence from the Lieutenant-Governor in Council shall be first granted therefor. R. S. 1897, c. 74, s. 7.

Penalties.

The regulations may impose penalties, etc.

9. The regulations to be made by virtue of section 5 of this Act may impose penalties for all infractions of such regulations, or for any infraction of this Act where no other penalty is imposed, and the same may be recovered in a summary manner before any Justice of the Peace having jurisdiction within the said limits, who may order any person convicted before him of any such infraction to pay such penalty or penalties, with costs, forthwith; and in default of payment of such penalty or penalties, with costs, to be imprisoned for a term not exceeding two months, unless the said penalty or penalties and costs, including the costs of conveyance to gaol, be sooner paid. R. S. 1897, c. 74, s. 8.

Penalty for keeping magazine within two miles of cities.

10. Every person who shall, contrary to the provisions of this Act, and of any regulations made hereunder, keep or erect any powder-

magazine within the limits of any city in the Province, or within two miles of any city, shall be guilty of an offence against this Act, and shall, upon summary conviction thereof before any Justice of the Peace, be liable to a penalty not exceeding five hundred dollars. R. S. 1897, c. 74, s. 9.

11. If any person wilfully violates the provisions of section 7 he shall, upon summary conviction thereof, be liable to a fine not exceeding five hundred dollars. 1905, c. 44, s. 108 (*part*). Penalty \$500 for violating s. 7.

12. Every proprietor or lessee of any powder-magazine shall be personally liable for any penalties imposed for the contravention of this Act, or of any regulations made by virtue of this Act, in respect of the conveyance of powder or other explosive substance to or from such magazine. R. S. 1897, c. 74, s. 10. Liability of proprietor or lessee for penalties.

Further Requirements.

13. Every cartridge, stick, parcel, or package containing any explosive, excepting gunpowder, for use in mining, quarrying, blasting, farming, or other industrial occupations shall have printed or stamped thereon in legible characters— Every cartridge, etc., to have printed or stamped thereon—

- (a.) The month and year when such explosive was manufactured: When manufactured;
- (b.) The percentage of explosive material contained. 1905, c. 22, s. 2. Percentage of explosive.

14. Any manufacturer, agent, or any person who sells or offers for sale any explosive in contravention of the provisions of this Act shall be liable to a penalty not exceeding two hundred dollars, or in default thereof to a term of imprisonment not exceeding six months. 1905, c. 22, s. 3. Penalty.

VICTORIA, B. C. :

Printed by RICHARD WOLFENDEN, I.S.O., V.D., Printer to the King's Most Excellent Majesty.
1911.