South Australia

Explosives Regulations 2011

under the *Explosives Act 1936*

Contents

Part 1—Preliminary

1.01 Short title
1.02 Commencement
1.05 Interpretation
1.06 Duties and responsibilities
1.07 Expiation of alleged offences

Part 2—Classification of explosives

2.01 Explosives to be classified or unclassified
2.02 Possession etc of unclassified explosive
2.03 Classified explosives
2.04 Categories of explosive
2.05 Publication of list of classified explosives

Part 3—Licensing of factories and manufacture of explosives

3.001 Application of Part
3.01 Application for licence of factory for manufacture of explosives
3.02 Licence application
3.03 Chief Inspector to report to Minister on application
3.04 Action by Minister on consideration of application
3.05 Authorisation by Minister to grant licence
3.06 Terms and conditions of licence
3.07 Factory to be used in accordance with licence conditions
3.08 Maintenance of licensed factory
3.09 Quantity of explosive kept in factory
3.10 Use of factory magazine
3.11 Manufacture and keeping of explosives to comply with directions of inspector
3.12 Danger buildings
3.13 Repairs to danger building
3.14 Information to be affixed to danger building
3.15 Requirement for lightning conductors
3.16 Use of tools or implements in danger building
3.17 Clothing of persons working in danger building
3.18 Removal of foreign matter in manufacture of explosives
3.19 Prohibition on smoking
3.20 Prohibition on certain articles in factory and danger building
3.21 Supervision of persons under 16 years
3.22 Transportation of explosives within or outside factory
3.23 Removal of ingredients with explosive properties
3.24 Packing and marking of explosives before removal from factory

3.25 Magazine not to contain broken or defective cases etc
3.26 Locking of magazine doors
3.27 Keys to danger building
3.28 Action required on approach of thunderstorm
3.29 Precautions to be taken by persons working in factory
3.30 Reporting of theft, loss or unauthorised interference with explosives
3.31 Revocation of licence by Chief Inspector
3.32 Penalty provision

Part 4—Mixing and using of Ammonium Nitrate mixtures of Classification Code 1.1D

4.01 Interpretation
4.02 Requirement for licence for mixing of Ammonium Nitrate mixture
4.03 Licence application
4.04 Consideration of licence application by Chief Inspector
4.05 Terms and conditions of licence
4.06 Application of regulations to persons acting under licence granted under this Part
4.07 Mixing Ammonium Nitrate mixture at point of use
4.08 Mixing of Ammonium Nitrate by person who is not licensee
4.09 Quantity of Ammonium Nitrate mixture required for immediate use
4.10 Overnight storage of Ammonium Nitrate mixture
4.11 Storage of detonators, priming cartridges and fuses
4.12 Prohibition on smoking
4.13 Requirements for mixing appliances
4.14 Approval of Chief Inspector to mount mixing appliance on vehicle
4.15 Naked flame prohibited near Ammonium Nitrate mixture
4.16 Application of regulations where Ammonium Nitrate mixture not for immediate use
4.17 Requirements of a site for preparation of Ammonium Nitrate mixture
4.18 Requirements for structures used for mixing Ammonium Nitrate mixture
4.19 Prohibition on quantity of mineral oil within seven metres of site
4.20 Prohibition on quantity of mineral oil within 45 metres of site
4.21 Spillage of ammonium nitrate or Ammonium Nitrate mixture
4.22 Combustible material prohibited near a site
4.23 Attendance of a site containing Ammonium Nitrate mixture
4.24 Nighttime storage of Ammonium Nitrate mixture
4.25 Storage containers for Ammonium Nitrate mixture
4.26 Water access requirements
4.27 Additional water access requirements
4.28 Revocation of licence by Chief Inspector
4.29 Penalty provision

Part 5—Filling for sale of cartridges for small arms with any explosive

5.01 Interpretation
5.02 Requirement for licence for filling cartridges for small arms
5.03 Filling room requirements
5.04 Protective measures in respect of filling cartridges
5.05 Supervision of persons under 16 years
5.06 Storage of inflammable articles prohibited near filling room
5.07 Inspector may issue notices
5.08 Penalty provision

Part 6—Packing and labelling of explosives

6.001 Application of Part
6.01 Interpretation
6.02 Package of explosives to be free of foreign matter
6.03 Package used for explosives not to contain exposed iron or steel
6.04 No re-use of packaging etc
6.05 Maximum quantities permitted to be packed in inner and outer packages
6.06 Additional packaging permitted
6.07 Packaging and marking of unclassified explosive to be in accordance with a special authority
6.08 Marking of detonators and blasting caps
6.09 Marking of detonating relay
6.10 Marking of outer package of explosive
6.11 Exemptions from this Part granted by special authority
6.12 Penalty provision

Part 7—Carriage of explosives

7.001 Application of Part
7.01 Interpretation
7.02 Requirement for licence for carriage of certain quantities of explosives
7.03 Application for licence to carry explosives in vehicle
7.04 Terms and conditions of licence to carry explosives in vehicle
7.05 False or misleading statements
7.06 Approval to carry certain explosives with passengers in vehicle or boat
7.07 Vehicle or boat used to carry explosives to be in good repair
7.08 Driver of vehicle to be licensed
7.09 Vehicle or boat carrying explosives to comply with regulations
7.10 Carriage of explosives of different Compatibility Groups and detonators
7.11 Carriage of explosives in vehicle between sunset and sunrise
7.12 Special provisions relating to Classification Codes 1.3G, 1.4G and 1.4S
7.13 Further requirements with respect to carriage of explosives in vehicle or boat
7.14 Special provisions in respect of areas to which *Mines and Works Inspection Act 1920* applies
7.15 Receiving consignment of explosives
7.16 Explosives not to be carried with refuse
7.17 Fuel requirements of diesel engine used to carry explosives
7.18 Special provisions relating to carriage of explosives on railway or tramway
7.19 Keeper of Government magazine to be given prior notice of carriage of explosives
7.20 Removal of explosives from Government magazine
7.21 Loading, unloading, removal etc of explosives
7.22 Reporting of theft, loss or unauthorised interference with explosives from vehicle, boat or ship
7.23 Penalty provision

Part 8—Explosives in ships and boats

8.01 Interpretation
8.02 Application of Part
8.03 Ship or boat carrying explosives not to be in prohibited area
8.04 Permit for ship or boat carrying explosives within a port
8.05 Loading and unloading of explosives
8.06 Competent person to be in charge of boat carrying explosives

8.07 Certain persons to be available in emergency
8.08 Further provisions applicable to landing, shipping and transhipment of explosives
8.09 Carriage of explosives on ship with other substances
8.10 Working on ship or boat near explosives
8.11 Prohibition on use of instruments on ship or boat carrying explosives
8.12 No handling of fuel during handling of explosives
8.13 Mechanical plant for handling explosives to be tested
8.14 Nocturnal handling of explosives in prohibited area
8.15 Requirements of ship carrying explosives in port
8.16 Safety of passengers governed by *Harbors and Navigation Act 1993*
8.17 Orders of Harbormaster to be complied with
8.18 Practicable precautions to be taken in handling explosives
8.20 Penalty provision

Part 9—Storage of explosives otherwise than in licensed premises or magazines

9.01 Interpretation
9.02 Storage of explosives
9.03 Theft or loss etc of explosives to be reported
9.04 Penalty provision

Part 10—Licensing of premises for storage and storage in those premises

10.001 Application of Part
10.01 Interpretation
10.02 Application for licence to store explosives on premises
10.03 Occupier of premises to make licence application
10.04 Determination of licence application
10.05 Form of licence
10.06 Provisions applying to licence
10.07 False or misleading statement
10.08 Explosives to be kept in store or receptacle
10.09 Limits on amounts of explosives kept
10.10 Division I premises
10.11 Division II premises
10.12 Requirements for stores or receptacles used to store explosives
10.13 Fire etc prohibited near store for explosives
10.14 Movement of explosives prohibited by intoxicated persons
10.15 Removal of explosives from store for opening
10.16 Tools used for opening package of explosives
10.17 Removal of explosives before repair of store
10.18 Condition of packaging
10.19 Security of store or receptacle
10.20 Action by inspectors
10.21 Provisions relating to keeping of different explosive compatibility groups
10.22 Information to be affixed to stores, receptacles and buildings containing explosives
10.23 Precautions to be taken in respect of explosives
10.24 Reporting of theft or loss of explosives etc
10.25 Revocation of licence
10.26 Issue of licence by council

Part 11—Licensing of magazines and storage therein

11.001 Application of Part

11.01 Interpretation
11.02 Application for magazine licence
11.03 Form of application
11.04 Terms and conditions of licence etc
11.05 Distances between magazine and protected works
11.06 Portable magazine licence
11.07 Determination of minimum distances
11.08 False or misleading statements
11.09 Structural requirements of magazine
11.10 Information to be affixed to licensed magazine
11.11 Licensed magazine to have lightning conductor
11.12 Licensed magazine to be maintained etc
11.13 Licensed magazine to be kept clean
11.14 Removal of explosives before repair of magazine or annexe
11.15 Use of licensed magazine
11.16 Removal of explosives from magazine for opening
11.17 Tools used for opening package of explosives
11.18 Prohibition on smoking
11.19 No fire, matches etc in or near magazine or annexe
11.20 Intoxicated persons prohibited in magazine or annexe etc
11.21 Damaged or defective packaging
11.22 Labelling requirements of explosives kept in magazine
11.23 Requirements of keeping explosives and detonators etc
11.24 Supervision of persons under 16 years
11.25 Precautions to be taken by employees
11.26 Reporting of theft or loss etc of explosive in magazine
11.27 Issue of licence by council

Part 12—Management of government magazines

12.01 General rules
12.02 Special rules
12.03 Penalty provision

Part 13—Importation of explosives

13.001 Application of Part
13.01 Interpretation
13.02 Importing explosives into South Australia
13.03 Inspection, examination and analysis of explosives entering South Australia
13.04 Imported explosives to be classified
13.05 Application for licence to import explosives
13.06 Refusal or grant of licence
13.07 Detonators etc to be marked
13.08 Form of licence
13.09 Terms and conditions of licence
13.10 False or misleading statements
13.11 Explosives to be packaged and labelled
13.12 Penalty provision

Part 14—Sale of explosives other than fireworks

14.001 Application of Part
14.01 Permit for sale and custody etc of explosives
14.02 Issue of permit

14.03 Application for permit
14.04 Terms of permit to be complied with
14.05 Period of permit
14.06 Permit holder to be fit and proper person
14.07 Form of permit
14.08 Quantity of explosives not to exceed licensed storage available
14.09 Records to be kept
14.09A Terms of model rocket engine permits issued to incorporated associations
14.09B Terms of model rocket engine permits for specified educational programs
14.10 Application of this Part
14.11 Exposure and display of explosives for sale
14.11A Sale of safety ammunition etc to persons under 15 years
14.12 Packaging and labelling of explosives for sale
14.35 Penalty provision

Part 15—Miscellaneous

15.01 Payment rates for attendance of inspector or magazine employee
15.02 Liability for charges for holding of explosives while ship in port
15.03 Expenses payable for attendance of Inspector or Magazine Keeper
15.05 Fees and charges for examination of explosives
15.06 Fees and expenses payable in relation to destruction or disposal of explosives
15.07 Explosives not to be abandoned
15.07A Prohibited model rocket engines and distress signals
15.07B Disposal of out of date distress signals
15.07C Production of licence, permit or other authorisation
15.08 Inspection etc of explosives stored in Government magazine
15.09 Fees
15.10 Prohibition of unclassified explosives unless authorised by Chief Inspector
15.11 Loading and unloading from Government lighter
15.12 Storage and carriage of explosives by certain persons without complying with regulations
15.13 Penalty provision

Schedule AA—Duties and responsibilities

Schedule A—Notice of intention to import explosives

Schedule B—Application for licence to import explosives

Schedule C—Licence to import explosives

Schedule D—Application for permit to purchase explosives

Schedule E—Permit to purchase explosives

Schedule H—Application for licence for factory to manufacture explosives

Schedule I—Factory licence to manufacture explosives

Schedule J—Application for licence to mix and use ammonium nitrate mixture

Schedule K—Licence to mix and use ammonium nitrate mixture

Schedule L—Table showing quantity of explosive equivalent to 1 000 detonators

Schedule M—Application for licence to carry explosives

Schedule N—Licence to carry explosives

Schedule O—Permission for ship to enter prohibited area

Schedule P—Application for licence for keeping explosives on premises

Schedule Q—Licence for keeping explosives on premises

Schedule R—Application for licence for keeping explosives in magazine

Schedule R1—Details of magazine

Schedule S—Licence for keeping explosives in magazine

Schedule T—Tables of safety distance for magazines

Schedule U—Box for carriage of explosives

Schedule V—Fees

Schedule W—Revocation and transitional provisions

1 Revocation of *Explosives Regulations 1996*
2 Transitional provision

Legislative history

Part 1—Preliminary

1.01—Short title

These regulations may be cited as the *Explosives Regulations 2011*.

1.02—Commencement

These regulations will come into operation on 1 September 2011.

1.05—Interpretation

In these regulations, unless a contrary intention appears—

the Act means the *Explosives Act 1936*;

the Chief Inspector means the Director under the Act;

classify means classify pursuant to section 6(1) of the Act and derivatives of the word "classify" (whether in the form of words or in the form of phrases) shall be construed accordingly;

define means define pursuant to section 6(1) of the Act and derivatives of the word "define" (whether in the form of words or in the form of phrases) shall be construed accordingly;

distress signal means a pyrotechnic device intended for signalling or warning or similar purposes and includes a marine flare or signal, landing flare, highway flare, highway fusee, line-carrying rocket, anti-hail rocket, cloud seeding rocket, avalanche rocket, railway fog signal or smoke generator;

firework has the same meaning as in the *Explosives (Fireworks) Regulations 2001*;

general use firework has the same meaning as in the *Explosives (Fireworks) Regulations 2001*;

indoor firework has the same meaning as in the *Explosives (Fireworks) Regulations 2001*;

prescribed means prescribed by these regulations;

Schedule means Schedule to these regulations;

security sensitive substance has the same meaning as in the *Explosives (Security Sensitive Substances) Regulations 2006*.

1.06—Duties and responsibilities

(1) The duties and responsibilities created and defined by the regulations, subregulations and other provisions thereof set forth in column 1 of Schedule AA shall be performed and discharged according to their tenor by the persons prescribed by this regulation.

(2) The persons whose respective titles or descriptions appear in column 2 of Schedule AA shall perform and discharge, or (as the case may require) ensure the performance and discharge of, all duties and responsibilities created and defined by those regulations, subregulations or other provisions thereof opposite which the titles or descriptions respectively appear, in all respects according to their tenor.

(3) Where the titles or descriptions of two or more persons appear opposite any regulation, subregulation or other provision thereof in column 1 of Schedule AA, subregulation (2) of this regulation shall apply to those persons jointly and severally.

(4) Where the performance or discharge, or (as the case may require) the ensuring of the performance or discharge, of a duty or responsibility created and defined by these regulations is, in any particular case, delegated by a person or the persons specified in column 2 of Schedule AA, such delegation shall not in any respect excuse non-compliance with the provisions of these regulations.

(5) Where there has been a contravention of, or a failure to observe, perform or comply with, any regulation, subregulation or other provision thereof set forth in column 1 of Schedule AA, the person or persons required to perform or discharge, or to ensure the performance or discharge of the duty or responsibility created and defined by the regulation, subregulation or other provision thereof, shall be guilty, or (as the case may be) jointly and severally guilty, of an offence.

(6) Where an act or default committed by some person other than a person described in Schedule AA constitutes a contravention of, or failure to observe, perform or comply with any provision of any regulation, the first mentioned person shall be guilty of an offence against that regulation, whether or not a person described in Schedule AA is also guilty of an offence against the same regulation.

(7) Nothing in these regulations shall take away or restrict any liability of any person whether under the *Summary Procedure Act 1921* or at common law, for aiding, abetting, counselling, procuring or otherwise being a party to the commission or attempted commission of an offence.

(8) The words appearing in the text of these regulations in brackets after the regulations or parts of such regulations are placed there for the purpose of convenient reference only and do not form part of these regulations.

1.07—Expiation of alleged offences

An alleged offence against regulation 1.06(5) or (6) constituted of an alleged contravention or failure to comply with a requirement of Part 6, Part 14 or Part 15 may be expiated in accordance with the *Expiation of Offences Act 1996* and for that purpose the expiation fee is $100.

Part 2—Classification of explosives

2.01—Explosives to be classified or unclassified

For the purposes of these regulations, explosives shall be either classified or unclassified. An explosive that is not a classified explosive is deemed to be an unclassified explosive.

2.02—Possession etc of unclassified explosive

(1) A person shall not have in his possession or custody keep or store in any place, transport or carry by land, sea or air, or use in any way, an unclassified explosive unless he does so in accordance with a written authorisation from and signed by the Chief Inspector. A written authorisation under this subregulation may include such reasonable conditions with respect to the safety of the public or any part or member of the public as the Chief Inspector thinks necessary or expedient and are in accordance with the objects of the Act and these regulations.

(2) Subject to the proviso to subsection (1) of section 12 of the Act, a person shall not prepare an unclassified explosive or, with intent to prepare an unclassified explosive, have in his custody or possession some of or all the ingredients necessary for that purpose, unless he does so in accordance with a written authorisation from and signed by the Chief Inspector. A written authorisation under this subregulation may include conditions of the kind referred to in subregulation (1) of this regulation.

2.03—Classified explosives

For the purposes of these regulations, an explosive is and shall be referred to as a classified explosive by virtue of its having pursuant to section 6(1) of the Act, been placed by the Chief Inspector in one of the divisions of Class 1 Dangerous Goods and one of the compatibility groups of the International Maritime Dangerous Goods Code of the Inter-governmental Maritime Consultative Organisation adopted by him and named in the tables at the foot of this regulation.

The figures representing the Class and division together with the letter representing the compatibility group shall together form the Classification Code of an explosive. An explosive may be referred to by the Classification Code assigned to it.

Table I—Divisions of Class 1 Dangerous Goods adopted by the Chief Inspector

Description of Explosives to be Classified	Class and Division
Substances and articles which have a mass explosion hazard	1.1
Substances and articles which have a projection hazard but not a mass explosion hazard	1.2
Substances and articles which have a fire hazard and either a minor blast hazard or a minor projection hazard or both, but not a mass explosion hazard	1.3
Substances and articles which present no significant hazard	1.4
Very insensitive substances	1.5

Table II—Compatibility groups adopted by the Chief Inspector

Description of Substance or Article to be Classified	Compatibility Group
Primary explosive substance	A
Article containing a primary explosive substance	B
Propellant explosive or other secondary deflagrating explosive substance or article containing such explosive substance	C
Secondary detonating explosive substance or black powder or article containing a secondary detonating explosive substance in each instance without means of initiation and without a propelling charge	D
Article containing a secondary detonating explosive substance, without means of initiation, with a propelling charge	E
Article containing a secondary detonating explosive substance, with means of initiation, with or without a propelling charge	F
Pyrotechnic substance or article containing a pyrotechnic substance or article containing both an explosive and illuminating, incendiary, lachrymatory or smoke-producing substance (other than a water-activated article or one containing white phosphorus phosphide or flammable liquid or gel)	G
Article containing both an explosive substance and white phosphorus	H
Article containing both an explosive substance and a flammable liquid or gel	J
Article containing both an explosive substance and a toxic chemical agent	K
Article containing an explosive substance and presenting a special risk needing isolation of each type	L
Substance or article so packed or designed that any hazardous effects arising from accidental functioning are confined within the package unless the package has been degraded by fire, in which event all blast or projection effects are limited to the extent that they do not significantly hinder fire fighting or other emergency response efforts	S

2.04—Categories of explosive

For the purpose of these regulations an explosive shall have been assigned to a category or categories of explosive by virtue of its having, pursuant to section 6(1) of the Act, been placed by the Chief Inspector in one or more of the categories of explosives created by him and named in the category table at the foot of this regulation. An explosive may be referred to by the category in which it has been placed and a reference to a category of explosive followed by the letter or letters X, Y, Z, ZZ or V, and cognates of the word ***category*** shall be construed accordingly.

Table—Categories

Category X—Explosives classified by the Chief Inspector as having fire or slight explosion risk or both, with only local effect.

Category Y—Explosives classified by the Chief Inspector as having mass fire risk or moderate explosion risk but not mass explosion risk.

Category Z—Explosives classified by the Chief Inspector as having a mass explosion risk with serious missile effect.

Category V—Explosives classified by the Chief Inspector as having slight fire or explosion risk but producing toxic gases.

Category ZZ—Explosives classified by the Chief Inspector as having mass explosion risk with minor missile effect.

2.05—Publication of list of classified explosives

A list of the explosives classified by the Chief Inspector by virtue of section 6 of the Act shall be published in the Government Gazette at least once in each period of 12 months.

Part 3—Licensing of factories and manufacture of explosives

3.001—Application of Part

This Part does not apply in relation to a security sensitive substance.

3.01—Application for licence of factory for manufacture of explosives

Application for a licence of a factory for the manufacture of explosives shall be made to the Chief Inspector in the form set out in Schedule H and shall be accompanied by the prescribed fee. The application may be made—

(a) where the factory is about to be built or is being built but is not completed, by the person on whose behalf the factory is being built; or

(b) where the factory has been completed, by the occupier of the factory to be licensed.

3.02—Licence application

There shall be furnished in and with the application, with reasonable particularity, all the information, plans and documents required by the form in Schedule H to be furnished for the purpose of the application.

3.03—Chief Inspector to report to Minister on application

The Chief Inspector shall after examination of the application, submit a report for the Minister.

3.04—Action by Minister on consideration of application

The Minister may, after considering the application and the report, refuse the application, or may, by instrument in writing, inform the applicant that, subject to regulation 3.05, he is prepared to grant a licence in such form and upon such conditions as are specified in the instrument.

3.05—Authorisation by Minister to grant licence

On receipt of an instrument pursuant to regulation 3.04 the applicant may construct, alter or add to the factory, and, if he does so to the satisfaction of the Chief Inspector and in accordance with the conditions referred to in that instrument, the Minister shall authorise the Chief Inspector to grant a licence.

3.06—Terms and conditions of licence

A licence granted under this Part shall—

(a) be granted to the occupier of the factory and shall be valid only for that occupier and only in respect of the site specified in the licence; and

(b) be in the form of Schedule I; and

(c) not be transferable; and

(d) be subject to these regulations (compliance with which shall be a condition of the licence) and any further conditions of the kind referred to in regulation 3.04 and stated in the licence; and

(e) remain in force for a period of 12 months commencing on the first day of the month in which it is issued, but may be renewed by payment of the prescribed fee before the expiration of the period of 12 months.

3.07—Factory to be used in accordance with licence conditions

A licensed factory shall not be used for a purpose or in a manner not in accordance with the conditions of the licence granted pursuant to this Part.
(Occupier)

3.08—Maintenance of licensed factory

A licensed factory shall be kept and maintained in all respects in accordance with the requirements of the licence, and no material alteration shall be made to any part of the factory without the prior written approval of the Chief Inspector. For the purposes of this regulation every alteration that is other than trifling is a material alteration.
(Occupier)

3.09—Quantity of explosive kept in factory

The quantity of an explosive, or of the ingredients of an explosive, that may be placed or stored at any one time in a factory or in a specified part of a factory which part is referred to in the licence shall not exceed the quantity specified in the licence.
(Occupier)

3.10—Use of factory magazine

The magazine of a factory shall not be used except for the purpose of keeping explosives in it, or the ingredients of explosives, or the tools or implements used for work connected with that keeping, as and in the manner specified in the licence.
(Occupier)

3.11—Manufacture and keeping of explosives to comply with directions of inspector

A person shall not manufacture or keep, or perform any process or work connected with the manufacture or keeping of, an explosive or the ingredient of an explosive except under conditions approved by and in accordance with the written directions of an inspector.
(Occupier)

3.12—Danger buildings

(1) Every building that is part of a factory in which—

(a) an explosive; or

(b) any ingredient of an explosive, that by itself has explosive properties or, when mixed with any other ingredient or article also present in that building is capable of forming an explosive mixture or an explosive compound,

is kept or is present, or in the course of manufacture may be kept or may be present, shall, unless specially exempted by the terms of a licence issued under this Part or by the written order of an inspector (which may be revoked by further written order), for the purposes of this Part be, and be referred to as, a ***danger building***.

(2) The interior of every danger building and the fittings and equipment in it shall be so constructed or assembled as to avoid unnecessary risks and shall, so far as is reasonably practicable, be kept clean and free from grit.
(Occupier)

3.13—Repairs to danger building

Subject to the operation of section 15 of the Act, before any repairs are effected to any part of a danger building that part and the immediate vicinity of that part shall, as far as is reasonably practicable, be cleaned by removing all explosives and all ingredients of explosives and by washing that part or by any other adequate process; and that part of the building and the immediate vicinity of that part, after being so cleaned, shall cease to be a danger building within the meaning of these regulations until an explosive or an ingredient of an explosive is again brought into it.
(Occupier)

3.14—Information to be affixed to danger building

There shall be kept constantly affixed to every danger building, in a prominent position and in such a form as to be easily read, a statement showing the maximum number of persons and the maximum quantities of explosives or the ingredients of explosives permitted by these regulations or by the licence to be in the building at any one time, the distinguishing number of the building as shown in the licence and a copy of such conditions and regulations applicable to the building as may be required by an inspector to be included in the statement.
(Occupier)

3.15—Requirement for lightning conductors

There shall be maintained on or about the factory efficient lightning conductors, in places and for periods which an inspector may, by an instrument in writing served on the occupier, require.
(Occupier)

3.16—Use of tools or implements in danger building

(1) All tools and other implements used in a danger building shall be made only of wood, copper, brass or some soft metal or material, or shall be wholly covered with material rendering them safe for use in that building.
(Occupier)

(2) A tool or implement shall not be placed or left in any room in a danger building if it is not required for actual working in that room.
(Occupier)

3.17—Clothing of persons working in danger building

The outer clothing of all persons working in a danger building shall, unless special provision is made in the licence, be of woollen or other flame resistant material and that clothing and shoes of those persons shall be so made or constructed that they do not create the possibility of explosion or fire in that building.
(Occupier)

3.18—Removal of foreign matter in manufacture of explosives

Wherever in a factory or in a danger building danger may arise from the possibility of foreign matter being present with an explosive or any ingredient of an explosive, all ingredients to be made or mixed into explosives shall, before being made or mixed, be carefully examined, sifted and otherwise treated and, as far as is practicable, all dangerous foreign matter shall be removed or excluded from the explosive or ingredient.
(Occupier)

3.19—Prohibition on smoking

A person shall not smoke in any part of a factory except in such part as may be allowed by the special rules made pursuant to section 11 of the Act.
(Occupier)

3.20—Prohibition on certain articles in factory and danger building

(1) All persons, before entering a factory, shall examine their clothes for the purpose of ensuring, and shall ensure, that they have no matches or other potentially dangerous articles in their pockets or about their persons, and all persons employed in the factory shall be regularly searched in order to ensure as far as is practicable that the precaution laid down by this subregulation is observed.
(Occupier)

(2) Iron, steel, grit or other articles that may cause an explosion or fire shall not be introduced into a danger building.
(Occupier)

3.21—Supervision of persons under 16 years

A person under the age of 16 years shall not be employed in, or enter, a danger building except in the presence, or under the supervision, of a person approved by the occupier as a responsible person.
(Occupier)

3.22—Transportation of explosives within or outside factory

(1) A vehicle, boat or other receptacle for carrying or conveying of any explosive or any explosive ingredient from one part of a factory to any other part of that factory or to a place outside that factory shall, unless specially exempted by the terms of the licence of that factory issued under this Part or by the written order of an inspector (which may be revoked by further written order) be constructed and maintained without any exposed iron or steel in the interior of the vehicle, boat or receptacle and shall, while the carrying or conveying is in progress, be closed or otherwise thoroughly covered over.
(Occupier)

(2) A person shall, while carrying or conveying any explosive or explosive ingredient in a vehicle, boat or other receptacle from one part of a factory to any other part of that factory or to a place outside that factory, use all due diligence and exercise all practicable precautions for the purpose of guarding against fire or explosion.
(Occupier)

(3) In subregulations (1) and (2) of this regulation, ***explosive ingredient*** means an ingredient of an explosive that, by itself, is possessed of explosive properties or that, when mixed with any other ingredient, article or substance also present in the vehicle, boat or receptacle is capable of forming an explosive mixture or an explosive compound.

(4) The provisions of subregulation (1) of this regulation shall not have effect where the only explosives or explosive ingredients being carried or conveyed are safety ammunition.

3.23—Removal of ingredients with explosive properties

Where in a building that is part of a factory an ingredient is in the course of being manufactured into explosive and that ingredient by itself has explosive properties or, when mixed with any other ingredient, article or substance also present in that building is capable of forming an explosive mixture or an explosive compound, that ingredient shall be removed as soon as the process of manufacture connected with it is completed, and all explosives that have been manufactured by that process shall, with all practicable expedition, be removed either to a magazine or from the factory.
(Occupier)

3.24—Packing and marking of explosives before removal from factory

All explosives intended or ready for conveyance from a factory shall, before being removed from a factory, be packed and marked in accordance with the provisions of Part 6 of these regulations.
(Occupier)

3.25—Magazine not to contain broken or defective cases etc

There shall not be in a magazine that is part of a factory any broken or defective case, box or other receptacle containing explosives.
(Occupier)

3.26—Locking of magazine doors

The doors of every magazine that is part of a factory shall be kept securely locked, except at such times as explosives are being placed into or removed from the magazine.
(Occupier)

3.27—Keys to danger building

The keys of all danger buildings shall remain in charge of a responsible person duly authorised in writing by the occupier and shall at all times be available to an inspector if required by him.
(Occupier)

3.28—Action required on approach of thunderstorm

On the approach of a thunderstorm to a factory, all magazines and danger buildings shall be immediately closed and every person in or near those magazines and buildings shall withdraw to a place of safety.
(Occupier)

3.29—Precautions to be taken by persons working in factory

(1) All persons working, engaged or employed in a factory shall take all precautions reasonably practicable for the purpose of preventing—

(a) accidents from fire or explosion in or about the factory; and

(b) unauthorised persons from having access to any part of the factory or any explosives, ingredients or other things in the factory.

(Occupier)

(2) All persons shall abstain from doing anything that—

(a) tends to cause fire or explosion; and

(b) is not reasonably necessary for the purpose of the work in the factory.

(Occupier)

3.30—Reporting of theft, loss or unauthorised interference with explosives

All theft or loss of, or apparently unauthorised interference with, any explosive or any ingredient of an explosive at a factory shall immediately be reported to a member of the police force and to the Chief Inspector.
(Occupier)

3.31—Revocation of licence by Chief Inspector

The Chief Inspector may, at any time, by notice in writing served on the licensee, revoke a licence if he is satisfied that the holder has failed to comply with these regulations or with a condition of his licence. Upon revocation, the holder shall immediately surrender his licence to the Chief Inspector or to a person nominated in writing by him.

3.32—Penalty provision

The penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $500.

Part 4—Mixing and using of Ammonium Nitrate mixtures of Classification Code 1.1D

4.01—Interpretation

In this Part—

Ammonium Nitrate mixture means an explosive of Classification Code 1.1D consisting of—

(a) Ammonium Nitrate; or

(b) a non-explosive mixture of Ammonium Nitrate with other substances,

and any other materials none of which is itself an explosive;

licensee means a person to whom a licence has been granted under this Part;

mineral oil means liquid derivatives of petroleum, shale or coal with a flash point of not less than 61°C (For the purposes of this definition "flash point" shall be determined by the closed cup method.);

person in charge means a person appointed by the licensee and authorised to mix and use an Ammonium Nitrate mixture or to be in immediate charge of the mixing or using of an Ammonium Nitrate mixture.

4.02—Requirement for licence for mixing of Ammonium Nitrate mixture

A person shall not in any place, mix for use at that place or assist in mixing for use at that place an Ammonium Nitrate mixture unless—

(a) the mixing and using is authorised by a licence under this Part; and

(b) all conditions of the licence have been complied with.

An occupier of a place shall not be guilty of an offence against this regulation if he proves that the mixing and/or using took place contrary to his directions or orders or notwithstanding the exercise by him of reasonable diligence.
(Person mixing or using) (Occupier of the place)

4.03—Licence application

(1) Application for a licence to mix and use an Ammonium Nitrate mixture shall be made to the Chief Inspector, in the form of Schedule J by the person intending to mix that mixture and shall be accompanied by the prescribed fee.

(2) There shall be furnished in and with the application, with reasonable particularity, all the information that is shown by the form in Schedule J to be required to be furnished for the purposes of the application.

(3) A person who, in or in connection with an application under this Part, furnishes information that is false in a material particular shall be guilty of an offence and may be refused a licence.
(Licensee, applicant for licence)

4.04—Consideration of licence application by Chief Inspector

The Chief Inspector may refuse a licence or may grant a licence subject to this Part and to such reasonable conditions (if any) as he includes in the licence. The Chief Inspector, upon consideration of an application, shall, in addition to taking into account all matters that the scope and object of the Act and these regulations indicate to be relevant, consider whether the applicant is a fit and proper person to be granted a licence and whether the licence should contain any conditions.

4.05—Terms and conditions of licence

A licence granted under this Part shall—

(a) be in the form of Schedule K; and

(b) be valid only for the person to whom it is issued; and

(c) not be transferable; and

(d) be subject to this Part (compliance with which by all concerned shall be a condition of the licence); and

(e) be valid for the place or places and for the particular Ammonium Nitrate mixture specified in the licence; and

(f) have effect subject to such conditions as the Chief Inspector includes; and

(g) continue in force, according to its tenor, (unless previously cancelled) for a period of 12 months commencing on the first day of the month in which it is granted, but may be renewed by payment of the prescribed fee before the expiration of that period.

4.06—Application of regulations to persons acting under licence granted under this Part

Regulations 4.07 to 4.27 inclusive shall apply where a person is acting, or purports to be acting, in pursuance of a licence granted under this Part.

4.07—Mixing Ammonium Nitrate mixture at point of use

A person shall not mix an Ammonium Nitrate mixture at any point other than the point where the explosive is to be used, unless the mixing is effected in accordance in all respects with regulations 4.17 to 4.27 inclusive, of this Part. Regulations 4.17 to 4.27 inclusive shall not apply to the mixing of an Ammonium Nitrate mixture at the point where it is to be used.
(Licensee, person in charge)

4.08—Mixing of Ammonium Nitrate by person who is not licensee

A person other than the licensee shall not mix an Ammonium Nitrate mixture unless he is a person in charge or is under the immediate supervision of a person in charge who is competent and thoroughly conversant with this Part.
(Licensee, person in charge)

4.09—Quantity of Ammonium Nitrate mixture required for immediate use

A person shall not mix a greater quantity of Ammonium Nitrate mixture at any one time than the quantity required for immediate use, unless the mixing takes place in accordance with regulations 4.17 to 4.27 inclusive, of this Part.
(Licensee, person in charge)

4.10—Overnight storage of Ammonium Nitrate mixture

A person shall not store overnight any Ammonium Nitrate mixture unless the storing is done in all respects in accordance with regulations 4.24 and 4.25 of this Part.
(Licensee, person in charge)

4.11—Storage of detonators, priming cartridges and fuses

Any person using Ammonium Nitrate mixture shall keep all detonators, priming cartridges and detonating fuses in strong and secure receptacles and, until they are used, no closer than seven metres from the mixture.
(Licensee, person in charge)

4.12—Prohibition on smoking

A person shall not smoke when mixing, carrying, handling or using Ammonium Nitrate mixture, or at any time when he is within seven metres of a person engaged in that work.
(Licensee, person in charge)

4.13—Requirements for mixing appliances

A mixing appliance must not be used for the mixing of an Ammonium Nitrate mixture unless it is maintained in a clean condition and—

(a) if the mixing appliance is hand operated only—the appliance does not include in its construction any copper, copper alloy, zinc, or galvanised iron that is likely to come into contact with Ammonium Nitrate in its mixed or unmixed form;

(b) if the mixing appliance is mechanically operated—the appliance has been approved in writing by the Chief Inspector.

(Licensee)

4.14—Approval of Chief Inspector to mount mixing appliance on vehicle

A mixing appliance shall not be mounted on or attached to any vehicle unless approval in writing has been received from the Chief Inspector.
(Licensee)

4.15—Naked flame prohibited near Ammonium Nitrate mixture

While a person is mixing, charging or handling Ammonium Nitrate mixture a naked flame shall not be brought within seven metres of the explosive or of the hole being charged.
(Licensee, person in charge)

4.16—Application of regulations where Ammonium Nitrate mixture not for immediate use

Regulations 4.17 to 4.27 inclusive of this Part shall apply where the mixing of an Ammonium Nitrate mixture is carried out at a point that is not the actual point where the mixture is to be used.

4.17—Requirements of a site for preparation of Ammonium Nitrate mixture

Ammonium Nitrate mixture shall be prepared on or near the central part of a concrete floor (hereinafter in this Part referred to as a ***site***) of at least five square metres in area and approximately square in shape. A site shall be so situated that every part of it is not less than—

(a) 45 metres from any protected work of Class I as defined in Part 10 (other than the store for the ammonium nitrate used in the mixing or a licensed magazine or licensed store used for the storage of mixed Ammonium Nitrate mixture); and

(b) 180 metres from any protected work of Class II as defined in Part 10.

(Licensee)

4.18—Requirements for structures used for mixing Ammonium Nitrate mixture

Any structure in which Ammonium Nitrate mixture is mixed shall—

(a) be open on at least one side; and

(b) have in its construction the least practicable quantity of timber or other combustible material; and

(c) have walls the lower edges of which are at least 15 centimetres above floor level.

(Licensee)

4.19—Prohibition on quantity of mineral oil within seven metres of site

A quantity of mineral oil in excess of 25 litres shall not any time be within seven metres of any part of a site when Ammonium Nitrate mixture is being prepared.
(Licensee, person in charge)

4.20—Prohibition on quantity of mineral oil within 45 metres of site

A quantity of mineral oil in excess of 250 litres shall not at any time be within 45 metres of a site when Ammonium Nitrate mixture is being prepared.
(Licensee, person in charge)

4.21—Spillage of ammonium nitrate or Ammonium Nitrate mixture

Any spillage of ammonium nitrate or Ammonium Nitrate mixture shall be immediately swept up and disposed of in such a way as to avoid the risk of fire.
(Licensee, person in charge)

4.22—Combustible material prohibited near a site

Subject to regulation 4.23, combustible material (other than that essential for the preparation of Ammonium Nitrate mixture) shall not be within 15 metres of a site, but standing timber shall not be within 30 metres of a site.
(Licensee, person in charge)

4.23—Attendance of a site containing Ammonium Nitrate mixture

A site shall not be unattended while Ammonium Nitrate mixture, other than that stored in a nearby locked magazine, is present.
(Licensee, person in charge)

4.24—Nighttime storage of Ammonium Nitrate mixture

Ammonium Nitrate mixture shall not be stored at night other than in a store or magazine properly licensed under Part 10 or Part 11.
(Licensee, person in charge)

4.25—Storage containers for Ammonium Nitrate mixture

Ammonium Nitrate mixture shall be stored or kept, and conveyed, in closed containers of plastics, black iron, black steel or other safe material approved in writing by the Chief Inspector, and those containers shall be clearly labelled so as to indicate their contents.
(Licensee, person in charge)

4.26—Water access requirements

Two fire buckets constructed of plastics each of at least 10 litres capacity and kept full of water, and at least 180 litres of water kept in an open or loosely lidded container, shall be readily available within 15 metres of a site.
(Licensee, person in charge)

4.27—Additional water access requirements

In addition to the requirements set out in regulation 4.26, where the quantity of Ammonium Nitrate mixture accumulating at a site during mixing exceeds 1 000 kilograms, a reticulated water service of not less than 75 millimetres internal diameter shall be available, fitted with at least two hydrants with wheel-valves and hoses of at least 25 millimetres internal diameter sufficient to reach the furthest risk and maintained in efficient working order; if not connected to service mains this reticulated service shall be served by a static water supply of not less than 22 kilolitres.
(Licensee)

4.28—Revocation of licence by Chief Inspector

The Chief Inspector may, if he is satisfied that—

(a) any provisions of the Act or any regulation made under the Act or any condition of a licence has not been observed; or

(b) the licensee is no longer a fit and proper person to hold a licence; or

(c) in or in connection with the application for the licence, the applicant furnished information that was false or misleading in a material particular,

revoke a licence at any time by notice in writing given to or served by post on the licensee.

4.29—Penalty provision

The penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $500.

Part 5—Filling for sale of cartridges for small arms with any explosive

5.01—Interpretation

In this Part—

filling room means a room used for the filling of cartridges for small arms with an explosive;

licensee means a person to whom a licence has been issued under Part 2 or Part 4 of the Act.

5.02—Requirement for licence for filling cartridges for small arms

A person shall not fill or cause to be filled cartridges for small arms with an explosive unless he holds a licence under Part 2 of the Act, or he holds a licence to store explosives issued by the Chief Inspector under Part 4 of the Act or by a municipal council or unless he is, pursuant to section 8 of the Act, filling safety cartridges for private use only.

5.03—Filling room requirements

Small arms cartridges shall not be filled with an explosive except—

(a) in a filling room so designed and constructed that, to the reasonable satisfaction of an inspector (whose satisfaction shall be certified in writing), all practicable precautions have been taken in its design, materials and construction against explosion and the consequences of explosion; and

(b) in accordance with the following conditions:

(i) not more than three kilograms of propellant shall be in any one filling room at any one time unless contained in safety cartridges;

(ii) in a filling room, exposed iron or steel shall not be near any explosive, or on any bench or table at or near which the filling of cartridges is or is about to be carried out;

(iii) the floor, shelves and fittings of a filling room shall be kept clean and free from grit, and, immediately before the filling of cartridges is begun, the bench or table at which the filling is to be carried out shall be carefully swept.

(Licensee, person in charge)

5.04—Protective measures in respect of filling cartridges

While filling of cartridges is in progress in a filling room—

(a) work unconnected with the filling shall not be carried out;

(b) a fire or artificial light (other than a light of such construction, position and character as not to create any risk of fire or explosion) shall not be in the filling room;

(c) matches or any substance or article which may cause any fire or explosion shall not be in the filling room;

(d) every person engaged in filling cartridges with an explosive shall wear outer clothing, without pockets, of woollen or other flame resistant material. The wearing of ordinary outer clothes of woollen or other flame resistant material, with all pockets removed or sewn up, shall be in compliance with this paragraph;

(e) shoes, in which there are no iron nails, shall be worn by every person in the filling room;

(f) any process carried out in the course of filling cartridges with an explosive shall be conducted with great care and in a manner which avoids jerking or concussion;

(g) filled cartridges or unfilled cartridges beyond the quantity at hand in the immediate course of preparation shall not be allowed to remain on or close to any bench, table or other place.

(Licensee, person in charge)

5.05—Supervision of persons under 16 years

A person under the age of 16 years shall not be in the filling room unless he is in the presence of and under the supervision of some responsible person.
(Licensee, person in charge)

5.06—Storage of inflammable articles prohibited near filling room

Articles of a highly flammable nature, or which may cause fire or explosion, shall not be stored close to a filling room.
(Licensee, person in charge)

5.07—Inspector may issue notices

An inspector, at any time that he reasonably considers it in the interests of public safety for him to do so may, by notice, in writing, given to or served by post on the licensee—

(a) prohibit the filling of small arms cartridges in any place or places specified in the notice; or

(b) direct that the process of filling small arms cartridges that is carried out in any place or places specified in the notice be varied in such manner as is specified in the notice.

If a notice pursuant to this regulation has been given to or served by post on a licensee, the filling of small arms cartridges in the place or places specified in that notice shall thereupon cease or, as the case may be, be varied to accord with the requirements of the notice. A notice so given or served shall be obeyed until the inspector, by a further notice, in writing, given to or served by post on that licensee, withdraws the first mentioned notice.
(Licensee)

5.08—Penalty provision

The penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $500.

Part 6—Packing and labelling of explosives

6.001—Application of Part

This Part does not apply in relation to a security sensitive substance.

6.01—Interpretation

In this Part—

authorised explosive means an explosive defined and classified under section 6 of the Act;

inner package means a substantial case, bag, canister or other receptacle whatsoever that is inside an outer package and is made and closed so as to prevent any explosive within that case, bag, canister or receptacle from escaping in the ordinary course of its being stored conveyed or carried;

manufacturer in relation to manufactured explosives that are being packed in a factory includes the occupier of that factory;

outer package means a box, barrel, case or cylinder of wood or metal or other material approved in writing by the Chief Inspector of such strength, construction and character that it cannot be broken or become accidentally opened or become defective or insecure in the ordinary course of being stored, carried or conveyed and, when closed and secured, will not allow any explosive within the box, barrel, case or cylinder to escape;

owner in relation to any specific quantity of explosive includes the possessor or possessors, for the time being, of that explosive;

propellant means an authorised explosive other than gunpowder or black powder adapted and intended exclusively for use as a propelling charge in cannon or small arms;

special authority means a written authority given by an inspector and may contain any condition which, in the opinion of the inspector, is necessary in the interests of safety and such written authority may be an authority to do or forbear from doing something that would, if that authority were not given, constitute an offence against this Part.

6.02—Package of explosives to be free of foreign matter

A person packing an explosive shall keep any package of that explosive free of grit or other foreign matter.
(Owner, manufacturer)

6.03—Package used for explosives not to contain exposed iron or steel

Subject to regulation 6.05 of this Part, iron or steel shall not be used in the construction of any package holding or containing, or intended to hold or contain, an explosive, unless that package is covered with material that effectively prevents the exposure of the iron or steel.
(Owner, manufacturer)

6.04—No re-use of packaging etc

(1) Subject to subregulations (2) and (3) of this regulation, if a package has been used for the packing of an explosive, that package shall not thereafter be used for the packing of any other explosive or of any other article or substance.
(Owner, manufacturer)

(2) Inner packages containing a propellant may be packed in an outer package together with other inner packages containing other propellants or gunpowder.

(3) An article that is not of a flammable nature or liable to cause fire or explosion may be packed in the same package as an explosive of Classification Code 1.4S.
(Owner, manufacturer)

6.05—Maximum quantities permitted to be packed in inner and outer packages

(1) Explosives shall be packed as prescribed by the International Maritime Dangerous Goods Code or as otherwise approved in writing by the Chief Inspector.
(Owner)

(2) The maximum quantities of explosives permitted to be packed in inner and in outer packages shall be as specified in the Table at the foot of this regulation, unless otherwise approved in writing by the Chief Inspector.
(Owner)

Table—Maximum quantities of explosives of various classification codes permitted to be packed in inner and outer packages

Classification Code	Maximum Quantity in an Inner Package	Maximum Quantity in an Outer Package
1.1A	12.5 kg	100 kg
1.1B		
Detonators, non-electric not exceeding 1 000	100 in number	1 000 in number
Detonators, non-electric exceeding 1 000	100 in number	10 000 in number
Electric detonators	100 in number	5 000 in number providing gross weight shall not exceed 50 kg
1.1C	25 kg	25 kg
1.1D	25 kg	25 kg
1.1E	25 kg	25 kg
1.1F	25 kg	25 kg
1.1G	25 kg	25 kg
1.1L	25 kg	25 kg
1.2B	25 kg	25 kg
1.2C	25 kg	25 kg
1.2D	25 kg	25 kg
1.2E	25 kg	25 kg
1.2F	25 kg	25 kg
1.2G	50 kg	50 kg
1.2L	25 kg	25 kg
1.3C	25 kg	25 kg
1.3G	50 kg	50 kg
1.3L	25 kg	25 kg
1.4D	25 kg	25 kg
1.4F	50 kg	50 kg
1.4G	50 kg	50 kg
1.4S	unlimited	unlimited

6.06—Additional packaging permitted

Nothing in these regulations shall be construed as prohibiting the use of an additional package, whether inner or outer, unless that additional package is one or one of a type the use of which has been prohibited, in writing, by an inspector.
(Owner, manufacturer)

6.07—Packaging and marking of unclassified explosive to be in accordance with a special authority

A person shall not pack an explosive that is not a classified explosive, nor mark a package which contains an explosive that is not a classified explosive, unless that packing or that marking as the case may be is in accordance with a special authority referring to that explosive.
(Owner, manufacturer)

6.08—Marking of detonators and blasting caps

Except for detonators or blasting caps which have been brought into South Australia before 31 December 1971 or the importation of which into South Australia has been approved in writing by the Chief Inspector, no person shall pack or cause or permit to be packed any detonator or blasting cap whether plain or electric or otherwise adapted unless the outside of the capsule or case of the detonator or blasting cap is clearly and durably marked with the words "DETONATOR EXPLOSIVE DANGER" or the words "BLASTING CAP EXPLOSIVE DANGER" in capital letters not less than three millimetres high.
(Owner, manufacturer)

6.09—Marking of detonating relay

Unless approval shall have been given in writing by the Chief Inspector, a person shall not pack or cause or permit to be packed any detonating relay unless the outside of the capsule or case of the detonating relay is clearly and durably marked with the words "EXPLOSIVE DANGER" in capital letters not less than three millimetres high.
(Owner, manufacturer)

6.10—Marking of outer package of explosive

(1) A person who packs an explosive shall mark the outside of the outer package or cause it to be marked with the word "EXPLOSIVE" in the label prescribed by the International Maritime Dangerous Goods Code, the name of the explosives, the Classification Code of the explosive and the name of the manufacturer or consignor of the explosive; this information may be imprinted on the outer package or may appear on a label securely attached or affixed to the package or by some other permanent mark.
(Owner, manufacturer)

(2) A person who packs an explosive shall, in addition to complying with the requirements of subregulation (1) of this regulation, comply with the requirements (if any) of the *National Measurement Act 1960* of the Commonwealth and with the following requirements wherever applicable:

(a) opposite ends of the outside of an outer package containing an explosive of Classification Code 1.1C or 1.1D shall be marked in conspicuous characters not less than 18 millimetres high, with—

(i) the name of the explosive; and

(ii) the date of manufacture or issue from the factory; and

(iii) the batch number of the particular batch or mix of the explosive or such sign or signs indicating that date and that batch or mix as may be approved in writing by the Chief Inspector;

(b) where the package contains an explosive in cartridges or charges for cannon, shells, mines, blasting or other like purposes which do not contain their own means of ignition, the marking shall be as for the explosive when not so made up;

(c) the words "Reloaded Ammunition" shall appear on each outer package and on each inner package which contains reloaded ammunition;

(d) on the outside of a package containing Pin Fire Cartridges there shall appear in conspicuous characters not less than 18 millimetres high the words "Pin Fire Cartridges";

(e) the word "EXPLOSIVE" and the name of the explosive, each in capital letters, shall appear conspicuously on individual packages, bags, cartridges and canisters containing blasting explosives;

(f) on ships' rockets, distress flares and similar explosives there shall appear conspicuously the month and year of manufacture in such a manner and place as not to be obscured by tape or any other portion of the article or by any envelope in which it is packed.

(Owner, manufacturer)

(3) If an outer package contains more than one explosive, the marking required by this regulation for each explosive shall be imprinted on or affixed to that outer package. (Owner, manufacturer)

6.11—Exemptions from this Part granted by special authority

Where reasonable cause exists an exemption from the whole or any provision of this Part may be granted by special authority.

6.12—Penalty provision

The penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $500.

Expiation fee: $100.

Part 7—Carriage of explosives

7.001—Application of Part

(1) Subject to this regulation, this Part does not apply in relation to a security sensitive substance.

(2) If a security sensitive substance is transported together with explosives of any other kind, the security sensitive substance must be taken into account under this Part (see especially regulation 7.10, 7.13 and 7.18) on the basis—

(a) in the case of ammonium nitrate blasting intermediate, that it is an explosive of Division 1.1D; and

(b) in any other case, that it is an explosive of Division 1.1D with a mass that is half its actual mass.

(3) In this regulation—

ammonium nitrate blasting intermediate means security sensitive ammonium nitrate comprised of an emulsion, suspension or gel, primarily made up of ammonium nitrate (with or without other inorganic nitrates) and containing other substances such as oxidisers and fuels, and intended for use as a blasting explosive following modification prior to use.

7.01—Interpretation

In this Part—

licensee means—

(a) the owner of a vehicle to whom a licence has been granted for the carriage of explosives in that vehicle; or

(b) a person to whom the Chief Inspector has, pursuant to section 39 of the Act, given his approval for the carriage of explosives in a boat;

manager of a railway or tramway includes the State Transport Authority;

owner in relation to a vehicle includes—

(a) the person in possession of a vehicle pursuant to a valid and subsisting consumer contract or hire purchase agreement or the assignee of the right to that possession; and

(b) the person recorded in the register of motor vehicles pursuant to the *Motor Vehicles Act 1959* as the owner of a vehicle; and

(c) the person in possession of a motor vehicle which is subject to a valid and subsisting Bill of Sale.

7.02—Requirement for licence for carriage of certain quantities of explosives

(1) Subject to this regulation a person shall not carry in or on a vehicle, by land, a quantity of gunpowder exceeding 15 kilograms, or a quantity of any other explosive exceeding three kilograms, unless the owner of the vehicle in which the explosives are conveyed holds a licence, issued to him by the Chief Inspector pursuant to the provisions of this Part, in respect of the carriage of that explosive in that vehicle.
(Owner, driver)

(2) For the purposes of this Part the equivalent mass of any detonators being carried shall be determined in accordance with Schedule L and the mass of explosives such as detonating cord, shaped charges, boosters and primers shall be calculated as the mass of the contained explosive compositions.

(3) A licence shall not be required for the carriage in a vehicle by land of any quantity of explosives of Classification Code 1.3G, 1.4G or 1.4S.

(4) The Chief Inspector may exempt a person from the requirement to hold a licence under this Part in respect of conveying explosives in the circumstances, and subject to the conditions, specified in the instrument of exemption.

7.03—Application for licence to carry explosives in vehicle

An application for a licence for the carriage of explosives in a vehicle shall be—

(a) made in writing to the Chief Inspector by the owner of that vehicle; and

(b) in the form prescribed in Schedule M to these regulations; and

(c) accompanied by the prescribed fee.

7.04—Terms and conditions of licence to carry explosives in vehicle

(1) The Chief Inspector may refuse a licence for the carriage of explosives or may require the applicant to fulfil conditions specified by the Chief Inspector prior to the grant of a licence or may grant the licence subject to conditions inserted therein by the Chief Inspector. Those inserted conditions shall be complied with in all respects by the licensee.

(2) A licence may be granted only to the owner of the vehicle in which explosives are to be carried, and shall be valid only for the owner to whom it is issued, for the vehicle specified and for the quantity of explosive stated. A licence shall not be transferable and shall be subject to these regulations, the due performance of which by all concerned shall be deemed a condition upon which the licence is issued.

(3) A licence shall be in the form prescribed by Schedule N.

(4) The Chief Inspector may include in a licence any condition that he deems necessary or desirable in the interests or for the purpose of the safety of the community.

(5) A licence shall continue in force for a period of 12 months commencing on the first day of the month in which the licence is issued but may be renewed for a period of 12 months by payment of the prescribed fee whilst the licence is current.

(6) The Chief Inspector may, at any time by notice in writing served on the licensee, revoke the licence if he is satisfied that the holder has failed to comply with these regulations or with a condition inserted in the licence or that in, or in connection with, an application for a licence, a statement was made that was false or misleading in a material particular. Upon revocation of the licence the holder shall immediately surrender his licence to the Chief Inspector or to a person nominated in writing by the Chief Inspector.

7.05—False or misleading statements

A person shall not in, or in connection with, an application for a licence, make a statement that is false or misleading in a material particular.
(Licensee, applicant for licence)

7.06—Approval to carry certain explosives with passengers in vehicle or boat

A person shall not, without the approval of an inspector, carry an explosive, other than an explosive of Classification Code 1.4G or 1.4S in a vehicle or boat whilst that vehicle or boat is carrying or plying for passengers.
(Licensee, person in charge of vehicle or boat)

7.07—Vehicle or boat used to carry explosives to be in good repair

A person shall not carry an explosive in a vehicle or boat unless that vehicle or boat is sound and roadworthy or (as the case may be) seaworthy and all mechanical and electrical components and accessories are in good order.
(Licensee, person in charge of vehicle or boat)

7.08—Driver of vehicle to be licensed

A person shall not drive a motor vehicle in which explosives are being carried unless he is in possession of a current licence to drive a motor vehicle issued pursuant to the *Motor Vehicles Act 1959* nor unless the classification of his licence is appropriate to the type of vehicle that he is driving.
(Licensee, person in charge of vehicle)

7.09—Vehicle or boat carrying explosives to comply with regulations

A person shall not, without the approval of an inspector, carry in a vehicle or boat any explosive that is not packed and branded, labelled or marked in accordance with these regulations.
(Licensee, person in charge of vehicle or boat)

7.10—Carriage of explosives of different Compatibility Groups and detonators

(1) A person shall not carry any explosives of different Compatibility Groups in a vehicle or boat unless the explosives are separated, one Compatibility Group from another, by sufficient means or distance to prevent explosion or fire in an explosive of one Compatibility Group being communicated to an explosive of another Compatibility Group.
(Licensee, person in charge of vehicle or boat)

(2) Detonators shall not be carried in a vehicle that is carrying more than 260 kilograms of other explosives unless approved by an inspector.
(Licensee, person in charge of vehicle)

(3) Up to 500 detonators may be carried in a vehicle at the same time as a quantity of other explosives not exceeding 260 kilograms under such conditions as are approved by an inspector.
(Licensee, person in charge of vehicle)

7.11—Carriage of explosives in vehicle between sunset and sunrise

A person shall not after sunset on one day and before sunrise on the succeeding day carry an explosive in a vehicle on land, except with the approval in writing of an inspector and subject to such conditions as are contained in that approval.
(Licensee, person in charge of vehicle)

7.12—Special provisions relating to Classification Codes 1.3G, 1.4G and 1.4S

(1) The provisions of regulation 7.13 of this Part shall not apply to the carriage in a vehicle or boat of explosives of Classification Codes 1.3G, 1.4G or 1.4S.

(2) If an explosive of Classification Code 1.3G and/or an explosive of Classification Code 1.4G and/or an explosive of Classification Code 1.4S is or are carried in a vehicle or boat all reasonable and practicable precautions shall be taken against fire, explosion or other accident.
(Licensee, person in charge of vehicle or boat)

(3) Notwithstanding subregulation (1) of this regulation, a vehicle or boat in which manufactured fireworks of Classification Codes 1.3G and/or 1.4G and/or 1.4S, in a total quantity greater than 25 kilograms are being carried, shall be equipped with an efficient fire extinguisher, readily available for immediate use.
(Licensee, person in charge of vehicle or boat)

7.13—Further requirements with respect to carriage of explosives in vehicle or boat

(A1) A person shall not, without the approval of an inspector, carry an explosive in a vehicle or boat unless such of the provisions set out in this regulation as are applicable are strictly complied with.

(1) A vehicle in which explosives are being carried on land shall bear in conspicuous places at the front and rear notice boards on which the word "EXPLOSIVES" is printed in red capital Roman letters, not less than 125 millimetres high on a white background; alternatively, one such notice board may be mounted above the cabin of the vehicle displaying the word "EXPLOSIVES" so that the word is clearly visible from both the front and the rear of the vehicle. If the quantity of explosives being carried exceeds 60 kilograms the vehicle shall, in addition, bear similar notices on each side.
(Licensee, person in charge of vehicle)

(1a) Notices in conformity with subregulation (1), or notices bearing a general similarity to those notices, shall not be exhibited on any vehicle unless explosives are being carried in that vehicle.
(Licensee, person in charge of vehicle)

(2) A boat in which explosives are being carried shall fly in a conspicuous position a red flag at least one metre square.
(Person in charge of boat)

(3) A quantity of explosives not exceeding 60 kilograms may be carried in a vehicle or boat if the explosives are carried in one or more securely closed boxes constructed in accordance with the principles stated in Schedule U or are completely covered with painted cloth, tarpaulin or other similar material and are effectively protected against dampness, undue movement and rapid communication of fire.
(Licensee, person in charge of vehicle or boat)

(4) A quantity of explosives not exceeding 265 kilograms may be carried in a vehicle if—

(a) the vehicle is fitted with two exterior rear vision mirrors, one on each side, giving a clear view to the rear from the driver's and the front passenger's seat respectively; and

(b) the explosives are carried in one or more securely closed boxes constructed in accordance with the principles stated in Schedule U and used exclusively for the conveyance of explosives; and

(c) the receptacles are firmly secured in the vehicle.

(Licensee, person in charge of vehicle)

(5) A quantity of explosives not exceeding 1 000 kilograms may be carried in a vehicle specially constructed for the carriage of such a quantity of explosives or suitably adapted and equipped with one or more closed boxes as described in Schedule U. When explosives are being carried, no other article or substance shall be conveyed as merchandise in or on the vehicle except with the approval of an inspector. Unless otherwise approved in writing by the Chief Inspector such a vehicle shall be so constructed or adapted that—

(a) it has two exterior rear vision mirrors, one on each side, so as to give effective view to the rear to both the driver and the other person in attendance on the vehicle;

(b) the whole of the under side of the tray is covered with a substantial sheet metal fire screen which shall also extend vertically the full width of the vehicle between the tray and the cab to the height of the cab (a suitable all-steel tray may be regarded as complying with this requirement) and at least to the level of the bottom of the fuel tanks, and which shall be separated from the cab by an air space of at least 75 millimetres;

(c) the exhaust and muffler system is free from leaks, with the exhaust pipe discharging to the front or to one side of the vehicle and in front of the fire screen and below the level of the tray;

(d) the batteries and fuel tanks are located in front of the fire screen, provided that if the fuel used has a Flash Point (closed cup) not lower than 61°C, the fuel tanks may be located elsewhere if protected in a manner approved by an inspector;

(e) it has a quick-action cut-off fitted to the fuel line in an accessible position near the fuel tank.

(Licensee, person in charge of vehicle)

(6) A quantity of explosives not exceeding 1 000 kilograms may be carried in a suitable boat which if not the property of the Minister for Transport has been approved for carriage of explosives by the Chief Inspector and—

(a) is specially constructed for the carriage of explosives; or

(b) has firmly attached in it one or more securely closed boxes constructed as described in Schedule U; or

(c) is otherwise equipped in a manner approved by an inspector,

provided that when a quantity of explosives greater than 265 kilograms is being carried in a boat, no other article or substance shall be carried as merchandise except with the approval of an inspector.
(Person in charge of boat)

(7) A quantity of explosives exceeding 1 000 kilograms shall not be carried in a vehicle or boat without the written authority of an inspector and in accordance with any conditions contained in that authority.
(Licensee, person in charge of vehicle or boat)

(8) Any iron or steel in the interior of the portion of the vehicle or boat where explosive is placed for carriage or conveyance shall be effectively covered with leather, wood, cloth or other material.
(Licensee, person in charge of vehicle or boat)

(9) A vehicle or boat in which an explosive is being carried shall be in the exclusive charge of, and constantly attended by, some competent person who is thoroughly acquainted with this Part of these regulations, and that person shall not have in his charge at any one time more than one vehicle or boat.
(Licensee, person in charge of vehicle or boat)

(9a) Where the quantity of explosives being carried in a vehicle does not exceed 60 kilograms, a second person may accompany the driver in order to assist, and where the quantity of explosives being carried in a vehicle exceeds 60 kilograms a second person shall be carried in the vehicle in order to assist the person in charge.
(Licensee, person in charge of vehicle)

(9b) No person (except the person in charge of or accompanying a vehicle being used in conformity with subregulation (9) or (9a)), may travel in the vehicle.
(Licensee, person in charge of vehicle)

(9c) If the vehicle in which an explosive is being carried forms part of a continuous train on a railway or tramway subregulation (9), (9a) and (9b) are sufficiently complied with, if, and so long as, that train is in charge of, and constantly attended by, some competent person.

(10) A person in charge of a vehicle or boat in which explosives are being carried shall not drive or manage the vehicle or boat negligently or in a reckless or dangerous manner.
(Person in charge of vehicle or boat)

(10a) A person who is under the influence of intoxicating liquor or a drug shall not be in charge of any vehicle or boat in which explosives are being carried.
(Licensee, person in charge of vehicle or boat)

(11) The driver of a vehicle in on or by which explosives are being transported shall observe all relevant speed limits and shall not, except when such vehicle is on a railway, exceed a speed of 60 kilometres per hour in a municipality, town or township or a speed of 80 kilometres per hour elsewhere.
(Licensee, person in charge of vehicle)

(12) An efficient fire extinguisher, capable of dealing with any petroleum spirit or diesel fuel or lubricating oil fire that may break out in that vehicle or boat, shall be carried in a readily accessible position in a vehicle or boat in which explosives are being carried.
(Licensee, person in charge of vehicle or boat)

(13) A person shall not refuel a vehicle or boat in which explosives are being carried except in case of emergency or necessity, in which case the refuelling shall be carried out in as isolated a place as is reasonably practicable with the engine of the vehicle or boat switched off and the engine of any vehicle or boat in attendance with the fuel supplies switched off.
(Licensee, person in charge of vehicle or boat)

(14) A person shall not smoke whilst he is on, in, near or attending, any vehicle or boat carrying or containing any explosive.
(Licensee, person in charge of vehicle or boat)

(15) A person shall not carry an explosive in a vehicle or boat that contains any article or substance (other than flammable liquid contained in the fuel tank of the vehicle or boat) that may cause fire or explosion or communicate fire.
(Licensee, person in charge of vehicle or boat)

(16) A substance or article that may cause fire or explosion shall not be introduced into a vehicle or boat in which explosives are being carried.
(Licensee, person in charge of vehicle or boat)

(16a) Iron, steel or grit shall not be permitted to come into contact with packages of explosives being carried in a vehicle or boat.
(Licensee, person in charge of vehicle or boat)

(16b) All practicable steps shall be taken to prevent water from coming into contact with packages of explosives being carried in a vehicle or boat.
(Licensee, person in charge of vehicle or boat)

(17) A radio transmitter shall not knowingly be operated in, near to, or in the vicinity of—

(a) a vehicle or boat in which electric detonators are being carried; or

(b) any place where electric detonators are kept.

(Licensee, person in charge of vehicle or boat)

(18) Where two or more vehicles or boats carrying explosives are travelling together, a distance of at least 50 metres shall be kept between each vehicle or boat, and every other such vehicle or boat, unless circumstances render it impracticable.
(Person in charge of vehicle or boat)

(19) Explosives being carried in a vehicle or boat shall be carried with all due diligence, and without unnecessary delay, to their proper destination.
(Licensee, person in charge of vehicle or boat)

(20) Explosives shall not be loaded into, or unloaded from, any vehicle that is in, or upon, any public highway, street, road, thoroughfare or public place, except with the written consent of an inspector, and in accordance with any conditions contained in that consent.
(Licensee, person in charge of vehicle)

(20a) Explosives shall not be loaded or unloaded into or from any boat at any public wharf or landing place, except with the written consent of the Minister for Transport and in accordance with any conditions contained in that consent.
(Licensee, person in charge of boat)

(21) The loading or unloading of explosives into, or from, a vehicle or boat shall be carried out with the engine of that vehicle or boat switched off, and when once begun shall be continued with all practicable speed until completed.
(Licensee, person in charge of vehicle or boat)

(22) While the loading, unloading or carriage of explosives is in progress, all persons engaged in the loading, unloading or carriage shall—

(a) take all necessary precautions for the prevention of fire or explosion, and for preventing unauthorised persons from having access to the explosives being loaded, unloaded or carried; and

(b) abstain from any act whatever that may cause fire or explosion and that is not reasonably necessary for the purpose of the loading, unloading or carriage of the explosive or of any other article lawfully carried with the explosive and as far as reasonably practicable prevent any other person from committing such act.

(Licensee, person in charge of vehicle or boat)

(23) All persons engaged in the loading, unloading or carriage of explosives shall be thoroughly acquainted with the regulations which are applicable to that loading, unloading or carriage.
(Licensee, person in charge of vehicle or boat)

7.14—Special provisions in respect of areas to which *Mines and Works Inspection Act 1920* applies

Notwithstanding the provisions of subregulations (4) and (5) of regulation 7.13, explosives may be carried within an area to which the *Mines and Works Inspection Act 1920* applies without the use of carrying boxes or a specially constructed body provided that—

(a) explosives packed as prescribed in Part 6 of these regulations are protected from any exposed iron or steel in the vehicle by clean tarpaulins or wooden separators which contain no exposed iron or steel; and

(b) such tarpaulins or wooden separators shall not come into contact with ammonium nitrate, Ammonium Nitrate mixture or containers in which Ammonium Nitrate mixtures of Classification Code 1.1D are conveyed in accordance with regulation 4.25.

(Licensee, person in charge of vehicle)

7.15—Receiving consignment of explosives

(1) A person shall not forward a consignment of explosives unless he has given notice to the consignee, and has received from the consignee a statement of the time at which the consignee will be ready to receive the consignment.
(Consignor)

(2) A consignee shall not give an intimation of his readiness to receive a consignment of explosives, or receive such a consignment, unless he is ready, upon receipt, forthwith either to use or to dispatch the consignment, or to deposit the consignment in conformity with the requirements of section 23 of the Act.
(Consignee)

7.16—Explosives not to be carried with refuse

A person shall not—

(a) have or carry an explosive in a vehicle or boat appropriated or used for the removal of refuse; or

(b) hand or forward an explosive to any person employed in the removal of refuse while he is carrying out his duties in that employment.

(Person in charge of vehicle or boat)

7.17—Fuel requirements of diesel engine used to carry explosives

The fuel of a diesel engine propelling a vehicle or boat in which explosives are carried shall not have a Flash Point (closed cup) less than 61°C.
(Licensee, person in charge of vehicle or boat)

7.18—Special provisions relating to carriage of explosives on railway or tramway

Without derogating from or affecting the operation of regulation 7.13 of this Part, the following provisions shall apply to the carriage of explosives on a railway or tramway:

(a) Explosives, with the exception of Classification Code 1.1A, if packed in outer packages which fulfil all of the requirements of these regulations and are of a pattern approved by the State Transport Authority or the manager of a railway or tramway, may be carried with ordinary goods in a vehicle or vehicles not containing any article or substance liable to cause or communicate fire or explosion, provided that—

(i) no explosive of Classification Code 1.4S other than safety fuse, or of Classification Code 1.1B shall be carried in a truck with any explosive of any other Classification Code;

(ii) not more than 1 000 kilograms of explosives other than detonators, and not a greater number than 60 000 detonators, are so carried in one goods train;

(iii) not more than 500 kilograms of explosives (other than detonators) and not a greater number than 30 000 detonators are so carried in any one mixed (passenger and goods) train;

(iv) except as provided in regulation 7.06 of this Part, explosives must not be conveyed on passenger trains, but explosives may, except where special instructions are given to the contrary, be carried on mixed trains, but then only to a point of supervision where the vehicles containing the explosives can be placed at intervals which are in conformity with these regulations on a conveniently scheduled goods train for which the estimated time of departure will not result in undue delay.

(b) A quantity of explosives exceeding 1 000 kilograms, or if the explosives are detonators, exceeding 60 000 in number, shall be carried only in vehicles suitably constructed and exclusively used for the carriage of explosives and in a train not carrying passengers, provided that—

(i) not more than 10 000 kilograms of explosives shall be carried in any one such vehicle; and

(ii) no other explosives shall be carried in a vehicle in which detonators are being carried.

(c) The number of vehicles (not containing explosives or flammable material) which shall intervene between the engine or a passenger vehicle or brake van and each vehicle containing explosives shall be as follows:

(i) when a vehicle is carrying not more than 150 kilograms of explosives (other than detonators) or not more than 10 000 detonators—one or more;

(ii) when a vehicle is carrying more than 150 kilograms of explosives (other than detonators) or more than 10 000 detonators—not less than three vehicles of the four wheel type or such other number of vehicles as will give an equivalent separating distance between the two closest points of vehicles carrying explosives.

(d) —

(i) Not more than 90 000 kilograms of explosives shall be carried simultaneously in a train.

(ii) Not less than three vehicles of the four wheel type or the number of other vehicles necessary to give at least an equivalent separating distance shall intervene between each 10 000 kilograms of explosives.

(iii) Vehicles separating parcels of explosives shall not contain flammable materials.

(Manager of tramway or railway)

7.19—Keeper of Government magazine to be given prior notice of carriage of explosives

A person shall not carry any explosive for storage in a Government magazine unless he has given to the Magazine Keeper reasonable prior notice of such carriage.
(Consignor, person in charge of vehicle)

7.20—Removal of explosives from Government magazine

Every person desiring to remove an explosive from a Government magazine shall—

(a) give to the Magazine Keeper at least one working day notice of his intention to do so accompanied, if required by the Magazine Keeper, by a housing certificate containing particulars of the explosive, the quantity of it required, the name of the consignee, the place to which the explosives are to be consigned and the method of their proposed carriage; and

(b) shall depute a trustworthy and sober person, who shall be subject to and shall obey the orders of the Magazine Keeper, to assist in the delivery of and give the necessary receipt for the explosives removed. That person shall also produce the necessary waybills, bills of lading, consignment note or other similar document relating to the explosives to be removed from the magazine. If those documents are not produced the explosives may be returned to the magazine and their return treated as a new deposit and be subject to the prescribed charge for a new deposit of those explosives.

7.21—Loading, unloading, removal etc of explosives

A person shall not load, unload, remove or stow any explosives except—

(a) by passing each package carefully by hand; or

(b) by using handling equipment which has been approved in writing by an inspector for use with that explosive and which is used in accordance with any conditions contained in that approval.

(Licensee, master, person in charge)

7.22—Reporting of theft, loss or unauthorised interference with explosives from vehicle, boat or ship

All theft or loss of, or apparently unauthorised interference with, an explosive from or at a vehicle, boat or ship shall immediately be reported to a member of the police force and to the Chief Inspector.
(Licensee, master, person in charge of vehicle or boat)

7.23—Penalty provision

Subject to the Act the penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $200.

Part 8—Explosives in ships and boats

8.01—Interpretation

In this Part—

agent in relation to any ship or boat means any person, firm or corporation who or which performs for or on behalf of the owner of the ship or boat any function or duty under or for the purposes of the *Harbors and Navigation Act 1993* or the Act, and includes any person, firm or corporation who or which, within the State, on behalf of the owner of the ship or boat undertakes or performs the functions of ships' husbandry or makes any arrangements for or in connection with the berthing of any ship or boat or the carriage, loading or unloading of cargo thereon or therefrom;

Harbormaster includes the person for the time being in charge of the administration of the port concerned;

owner in relation to any ship or boat includes any person who is owner jointly or in common with any other person; and also includes a corporate body; and when used in relation to goods includes any consignor, consignee, shipper or agent for the sale or custody, importing or exporting, loading or unloading of goods;

stevedore means a stevedore who is for the time being in charge of loading or unloading of any cargo which contains explosives into or from ships or boats.

8.02—Application of Part

(1) The provisions of this Part shall not apply to explosives carried on a ship or boat as part of the lifesaving or signalling equipment of that ship or boat.

(2) The provisions of—

(a) regulations 8.03, 8.04 and 8.05; and

(b) (1), (8) and (11) of regulation 8.08; and

(c) regulation 8.14 of this Part,

shall not apply to any ship or boat having on board not more than 15 kilograms of gunpowder or three kilograms of other explosives or a combined quantity of gunpowder and other explosives not exceeding 15 kilograms when one kilogram of other explosives is calculated as equivalent to five kilograms of gunpowder and detonators are calculated as set out in Schedule L.

(3) The provisions of—

(a) regulation 8.05; and

(b) subregulations (1), (3)(a), (4), (5), (8) and (11) of regulation 8.08; and

(c) regulations 8.12 and 8.14 of this Part,

shall not apply to explosives of Classification Code 1.2G, 1.3G, 1.4G or 1.4S.

8.03—Ship or boat carrying explosives not to be in prohibited area

A ship or boat with explosive on board shall not be within a prohibited area unless the master, person in charge, owner or agent of that ship or boat has given at least two clear working days' notice in writing to the Minister for Transport in the form prescribed in Schedule O to these regulations and unless such master, person in charge, owner or agent shall have received from the Minister for Transport permission for the ship or boat to be within such prohibited area. The person signing the notice shall furnish such information regarding the explosive as the Minister for Transport may, from time to time, require.

Upon the granting of permission the Harbormaster may allot a berth at which the explosive may be landed, shipped or transhipped. Immediately upon completion of the landing, shipping or transhipping of the explosive the ship or boat if it still has any explosive on board shall, unless permission in writing to remain therein has been obtained from the Minister for Transport, depart from the prohibited area.
(Master, person in charge, owner, agent)

8.04—Permit for ship or boat carrying explosives within a port

A person shall not have on board, land, ship or tranship on or from any ship or boat, within any port any explosive unless two clear working days' notice has been given to the Chief Inspector and a permit has been received from the Chief Inspector for the retaining on board, landing, shipping or transhipping of the explosive specified in that permit. The request for a permit to retain on board, land, ship or tranship shall be in the form prescribed in Schedule O to these regulations. The permit granted to any person shall, when required or demanded, be produced by that person to an inspector, Magazine Keeper, Harbormaster, Pilot, or a master, owner, or agent of any ship in which the explosive mentioned in that permit is conveyed or is being or is about to be conveyed from or to South Australia.
(Master, owner, agent, stevedore)

8.05—Loading and unloading of explosives

Except with the express permission, in writing, of the Minister for Transport a person shall not bring or navigate a ship to, or take up, a berth for the purpose of landing, shipping or transhipping any explosive unless and until that ship is ready to commence loading or unloading that explosive and unless effective arrangements have been made to commence loading or unloading that explosive immediately the ship is berthed.
(Master)

8.06—Competent person to be in charge of boat carrying explosives

There shall be a competent person in charge of a boat at all times when there is any explosive on board.
(Owner, person in charge of boat)

8.07—Certain persons to be available in emergency

As long as there is any explosive on or in a ship there shall be on duty a responsible deck officer and an engineer officer and sufficient crew immediately available, to operate the fire pumps, fire extinguishing appliances, machinery and other equipment and appliances in an emergency involving the risk of fire or likely to involve an explosion.
(Master, owner, agent)

8.08—Further provisions applicable to landing, shipping and transhipment of explosives

An explosive (other than an explosive specially exempted, in writing, by the Chief Inspector from the operation of this regulation) shall not be landed, shipped or transhipped from any ship or boat unless all of the following provisions which are applicable to the circumstances of the landing, shipment or transhipment are strictly complied with during that landing, shipment or transhipment as the case may be:

(1) Unless special exemption, in writing, is granted by the Chief Inspector, the landing, shipment or transhipment of an explosive shall take place, and the door of a hatch or ship magazine shall be opened, only in the presence of and under the supervision of an inspector or Magazine Keeper.
(Master)

(2) The master or another competent officer of the ship shall be constantly and exclusively in charge of the ship and its equipment and crew during landing, shipment, stowage or transhipment of explosives and one or other shall assist the inspector or Magazine Keeper when either the inspector or Magazine Keeper are present in enforcing the observance of these regulations.
(Master)

(3)

(a) Before any hatch of a ship or boat or any door of a ship or boat magazine is opened, and during any operation, for landing, shipping or transhipping an explosive, all fires and lights in the ship shall be completely put out (except such fires or lights as are approved by the inspector or Magazine Keeper).

(b) A person shall not smoke on board a ship or boat, a hatch or magazine of which has been opened for landing, shipping or transhipping an explosive, or on board a ship or boat alongside or attached to any such ship or boat.

(Master, stevedore)

(4) Any person working in the magazine of a ship or boat shall not have in or on his apparel or about his person any matches, fusees, knives, iron or steel, nor shall he wear boots, shoes or other footwear with any iron, steel or grit on or in them.

(Master, stevedore)

(5) All exposed iron or steel in or near the place where any explosive is being passed or handled shall be completely and effectively covered over by a material which efficiently insulates any iron or steel from the risk of creating sparks by percussion with any other material.
(Master, stevedore)

(6) All explosives shall be passed or handed from man to man and shall not be moved by being pitched, rolled, thrown, slid or by any method during the course of which they may be jarred, but they may with the prior approval of an inspector given by instrument in writing and in conformity with any conditions specified in that instrument, be moved by cargo net slings, cargo parachutes or pallets with nets provided that such instrument shall not be required for explosives of Classification Codes 1.2G, 1.3G, 1.4G or 1.4S.
(Stevedore)

(7) Any person engaged in the operation of landing, shipping or transhipping explosives shall be a fit and proper person for the purpose and shall be perfectly sober throughout the operation.
(Stevedore)

(8) If at any time the landing, shipping, transhipping or handling of any explosive ceases for any reason whatever, the hatches shall be immediately recovered with their regular coverings and the doors of the ship or boat magazine shall be securely closed, and while the cessation continues no person shall be in a magazine or hold which contains or is about to contain an explosive.
(Master, person in charge)

(9) Special care shall be exercised by the master, officers of the ship, members of the crew or other persons engaged in the operation of lifting or replacing hatches, fore-and-afters, and hatch beams from or on any hatch, hold or magazine containing any explosive.
(Master, stevedore)

(10) All practicable precautions shall be taken by the master, officers of the ship, its crew and all persons assisting in the operation to ensure that during the landing, shipping, transhipping or handling of any explosive, the explosive is handled with care and any act or omission tending to cause fire or explosion is avoided.
(Master, stevedore)

(11) Where any ship or boat passes near a ship or boat where an explosive is being landed, shipped, transhipped or handled, the first mentioned ship or boat shall not pass within 30 metres of the second mentioned ship or boat and shall not exceed a speed of four nautical miles per hour when so passing.
(Master of ship or person in charge of boat navigating in vicinity)

8.09—Carriage of explosives on ship with other substances

A person shall not convey or carry any explosive, except ships' signal rockets, in any ship or boat that is carrying or contains as cargo any substance, liquid or article that may cause or communicate fire or explosion unless that substance, liquid or article is—

(a) securely packed and stowed; and

(b) stowed as far away as reasonably possible from the explosive; and

(c) stowed in such a position, and at such distance, from the explosive as not to endanger the explosive by communication of fire or otherwise.

Without affecting the generality of the foregoing, the substances, liquids or articles of the kind above described include petroleum, naphtha, benzine, bisulphide of carbon, methylated spirit, mineral acids, ethers, compressed gases and matches.
(Master, person in charge)

8.10—Working on ship or boat near explosives

A person shall not work aloft on any part of a ship or boat over or near any place where an explosive is being landed, shipped, transhipped or handled.
(Master, person in charge)

8.11—Prohibition on use of instruments on ship or boat carrying explosives

A person shall not use an iron or steel hammer, or any other instrument capable, in the circumstances, of causing a spark, for the purpose of opening or closing any hatch or magazine on a ship or boat carrying an explosive. Chipping, scraping and hammering of iron or steel while any explosive is on board shall not be permitted without the prior written approval of and in conformity with any conditions specified by the Harbormaster.
(Master, person in charge)

8.12—No handling of fuel during handling of explosives

While an explosive is being landed, shipped, transhipped or handled into, on or from any ship or boat, a person shall not land, ship, tranship or handle any cargo, bunkers or oil fuel into, on or from that ship or boat.
(Master, person in charge, stevedore)

8.13—Mechanical plant for handling explosives to be tested

A person shall not in, on or near a ship or boat use any mechanical plant or any gear for hoisting or lowering an explosive unless that mechanical plant or gear has, immediately prior to its use for that purpose, been thoroughly examined and tested by a competent officer of the ship.
(Master, person in charge, stevedore)

8.14—Nocturnal handling of explosives in prohibited area

Subject to the provisions of section 31 of the Act a person shall not within a prohibited area at any time between sunset of one day and sunrise of the following day—

(a) navigate a ship or boat with any explosive on board;
(Master, person in charge)

(b) open any magazine, hold or other compartment of a ship or boat containing any explosive;
(Master, person in charge, stevedore)

(c) land, ship, tranship or handle any explosive;
(Master, person in charge, stevedore)

(d) navigate, sail, tow, any ship or boat containing any explosive,
(Master, person in charge)

except with the approval in writing of the Minister for Transport and subject to such conditions as he specifies in that approval.

8.15—Requirements of ship carrying explosives in port

The master of any ship during the time the ship is within any port and any explosives exceeding 15 kilograms of gunpowder or three kilograms of any other explosives or a combined quantity of gunpowder and other explosives exceeding 15 kilograms when one kilogram of other explosives is calculated as equivalent to five kilograms of gunpowder and detonators are calculated as set out in Schedule L are—

(a) on board the ship; or

(b) on board any boat alongside the ship,

shall exhibit from the mast head or some other conspicuous position on the ship, by day, flag B of the international code, and by night, a red light.
(Master)

Maximum penalty: $40.

8.16—Safety of passengers governed by *Harbors and Navigation Act 1993*

If any ship carrying passengers carries any explosives the carriage of such explosives shall be governed by any regulations relating to the safety of passengers for the time being in force under the *Harbors and Navigation Act 1993*.
(Master, owner)

8.17—Orders of Harbormaster to be complied with

The master, or where that person is not the master, the person in charge of any ship or boat containing any explosive shall at any time obey any reasonable order or instruction issued or given by a Harbormaster or an officer under the direction and on behalf of the Harbormaster.
(Master, person in charge)

8.18—Practicable precautions to be taken in handling explosives

While any explosive is being landed, shipped, transhipped or handled in, on or from any boat or ship, notwithstanding any other provision in this Part, all practicable precautions shall be taken for the prevention of any fire or explosion, and no act shall be done by any person which may cause fire, explosion or danger unless that act is reasonably necessary for that landing, shipping or transhipping.
(Master, person in charge, owner, agent)

8.20—Penalty provision

Subject to the Act the penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $500.

Part 9—Storage of explosives otherwise than in licensed premises or magazines

9.01—Interpretation

In this regulation—

owner of explosives includes a person having the possession, custody or control of explosives.

9.02—Storage of explosives

A person who keeps explosives for his own use in quantities not exceeding those prescribed by section 23(2) of the Act shall keep them in accordance with the following provisions:

(a) Gunpowder (blasting powder) and nitro-compound explosives including propellants shall be stored in a container or containers inside which there is no exposed iron or steel, securely locked, conspicuously marked with the word "EXPLOSIVES" and placed out of reach of children in a building (other than a dwelling or an office) which is locked in the absence of a responsible adult. Fuse lighters shall not be stored in the same container as other explosives.

(b) Detonators shall be stored in a container or containers inside which there is no exposed iron or steel, securely locked, conspicuously marked with the words "EXPLOSIVES" and "DETONATORS", exclusively used for the storage of detonators and firmly fixed or secured, away from other explosives and out of reach of children and in a building (other than a dwelling or an office) which is locked in the absence of a responsible adult.

(c) Articles or commodities which constitute a fire risk shall be kept at a safe distance from the explosives.

(d) A person who is under the influence of intoxicating liquor or a drug shall not place explosives in or remove explosives from a container.

(Owner of explosives)

9.03—Theft or loss etc of explosives to be reported

All theft or loss of, or apparently unauthorised interference with, an explosive shall immediately be reported to a member of the police force and to the Chief Inspector. (Owner of explosives)

9.04—Penalty provision

The penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $500.

Part 10—Licensing of premises for storage and storage in those premises

10.001—Application of Part

This Part does not apply in relation to a security sensitive substance.

10.01—Interpretation

In this Part, unless the contrary intention appears—

licensee means

(a) a person to whom a licence has been granted under section 22 of the Act; or

(b) a person who has been granted by a municipal council a certificate for the storing or keeping of explosives;

premises means any house, storehouse, warehouse, shop, cellar, yard, building, or fenced or enclosed land or space occupied by any one person, firm, partnership, association or company; and all houses, storehouses, warehouses, shops, cellars, yards, buildings, lands and spaces adjoining each other and occupied together shall be deemed to be the same premises;

protected work of Class I means any shop, room, workshop, railway, magazine or store or receptacle for explosives, depot for flammable liquids, furnace, kiln or fire, occupied by or used by the occupier of licensed premises, or if the occupier or user thereof gives his consent in writing to the same being considered as included in the protected works of Class I; or any highway, street, public road, public thoroughfare, or open place of resort for the public or for persons carrying on any trade or business or any canal, navigable water, dock, wharf, pier, jetty or reservoir;

protected work of Class II means any dwelling, shop, room, workshop, railway, magazine or store or receptacle for explosives, depot for flammable liquids, furnace, kiln or fire, which is not included in protected works of Class I or any factory, church, chapel, university, college, school, hospital, public institution, town hall, court of justice, theatre, covered market, or building wherein persons are accustomed to assemble or public building;

protection distance means the distance that shall separate a protected work from a store or a receptacle for explosives. (In computing the least distance which can be regarded as a "protection distance" in connection with any store or receptacle for explosives, one metre in length shall be allowed for each kilogram of explosives permitted by the licence to be kept in such store or receptacle, and, except for propellant powders, safety ammunition and distress signals, a minimum distance of 15 metres shall be required. Provided that as regards a protected work of Class I, the distance may be reduced to half: and provided further that where a hill, mound, wall, or other obstacle efficient in the opinion of the Chief Inspector intervenes between such store or receptacle and the protected work, the distance may be half that which would otherwise be required);

receptacle means a receptacle that is—

(a) exclusively appropriated for the keeping of explosives; and

(b) substantially constructed of wood or other approved material and has no exposed iron or steel inside; and

(c) provided with strong handles; and

(d) provided with a closely fitting lid secured by a lock, the hinges and fastenings being constructed of copper, brass or other approved material; and

(e) housed so as to prevent unauthorised persons having access to the receptacle and so as to provide protection from damage from fire and other causes; and

(f) situated at protection distances from—

(i) dwellings or shops or other places frequented by the public on the same premises as the receptacle; and

(ii) protected works which are not on the same premises as the receptacle;

store means a store which is—

(a) exclusively used for keeping explosives; and

(b) substantially built of brick, stone, iron, concrete or other approved material or excavated in solid rock, earth or mine refuse not liable to ignition; and

(c) so made, closed and locked as to prevent unauthorised persons from having access to the store and to secure it from danger from without; and

(d) situated at protection distances from protected works.

10.02—Application for licence to store explosives on premises

A person may apply to the Chief Inspector for a licence under section 22 of the Act to store explosives upon any premises.

10.03—Occupier of premises to make licence application

Every application for a licence shall be made by the occupier of the premises in respect of which the licence is sought. An application shall be in the form prescribed in Schedule P and shall be accompanied by the prescribed licence fee.

10.04—Determination of licence application

The Chief Inspector may refuse a licence or may grant a licence subject to such conditions, if any, as he includes in the licence. For the purpose of determining whether to grant or refuse a licence the Chief Inspector shall have regard to all relevant matters but principally to the situation, construction and use of the premises and the nature of the explosives intended to be stored.

10.05—Form of licence

A licence under this Part shall be in the form prescribed in Schedule Q to these regulations.

10.06—Provisions applying to licence

The following provisions shall apply to a licence granted under this Part:

(a) The licence shall be issued to the occupier of the premises therein mentioned and shall be valid only for the person to whom and the premises in respect of which it is issued. It shall not be transferable.

(b) The licence shall when issued be subject to these regulations. Due compliance with these regulations by the licensee is a condition upon which the licence is issued.

(c) The licence shall continue in force for a period of 12 months commencing on the first day of the month in which the licence is issued but may be renewed before the expiration of the period of 12 months next ensuing by payment of the prescribed fee.

(d) The licence may be revoked at any time by the Chief Inspector if the holder has failed to comply with the conditions of the licence or if in or in connection with an application for a licence a statement was made or information was furnished that was false or misleading in a material particular.

10.07—False or misleading statement

A person shall not in, or in connection with, an application for a licence under this Part make a statement or furnish information that is false or misleading in a material particular.
(Licensee, applicant for licence)

10.08—Explosives to be kept in store or receptacle

A person shall not keep explosives on licensed premises except in a store or receptacle.
(Licensee)

10.09—Limits on amounts of explosives kept

A person shall not keep or cause or permit to be kept on any premises an amount of explosives exceeding the amount specified in the table below or any lesser amount specified in the licence issued in respect of those premises.

On premises qualified to belong to Division I	60 kg
On premises qualified to belong to Division II	30 kg

In calculating the amount of explosives which may be stored—

(a) two kilograms of gunpowder or of propellant powder, or of distress signals or fireworks (except those of Division 1.1) shall be regarded as equivalent to one kilogram of explosives;

(d) the quantities of explosives such as ammunition, shaped charges, detonating cord, boosters and similar contrivances which may be stored on licensed premises shall be determined by the Chief Inspector on the quantity and nature of the explosive compositions contained therein;

(e) 1 000 detonators shall be taken as equivalent to the quantity of explosives shown in Schedule L of these regulations, and the equivalents of other numbers of detonators shall be calculated in the same proportion.

(Licensee)

10.10—Division I premises

Premises belong to Division I where they comprise or contain a store or stores, whether or not that store is or these stores are situated within or attached to another building (other than a dwelling).

10.11—Division II premises

Premises belong to Division II where they comprise or contain any building (other than a dwelling) which is not itself qualified to belong to Division I but in which is placed a receptacle.

10.12—Requirements for stores or receptacles used to store explosives

(1) A person shall not use a store or receptacle for the storage of explosives unless—

(a) the interior, the shelves and the fittings are so constructed or so lined and covered as to prevent the exposure of any iron or steel or the detaching of any grit, iron, steel, or similar substance; and

(b) the interior, the shelves and the fittings are kept free from grit and otherwise clean; and

(c) all practicable precautions are taken to ensure that dampness is excluded from the store or receptacle.

(Licensee)

(2) Where explosives are kept in a receptacle or receptacles placed in a store, then the interior of the store need not be lined and covered as required by subregulation (1) of this regulation.

10.13—Fire etc prohibited near store for explosives

A person shall not have or bring or cause or permit any person to have or to bring any fire, naked light or any substance liable to cause fire or explosion within seven metres of a store or receptacle for explosives.
(Licensee)

10.14—Movement of explosives prohibited by intoxicated persons

A person shall not, while under the influence of intoxicating liquor or a drug, place explosives in or remove explosives from any store or receptacle.
(Licensee)

10.15—Removal of explosives from store for opening

A person shall not open or cause or permit any person to open any package containing any explosive while such explosive is in any store or receptacle, but the package shall be removed to a safe distance from the store or receptacle before it is opened or any attempt to open it is made.
(Licensee)

10.16—Tools used for opening package of explosives

A person shall not use or cause or permit any person to use any tool or implement in opening any package containing explosive unless that tool or implement is made only of wood, copper, brass or some soft metal or material or unless that tool or implement is covered with a safe and suitable material.
(Licensee)

10.17—Removal of explosives before repair of store

A person shall not repair any part of any store or receptacle unless all explosives have been removed.
(Licensee)

10.18—Condition of packaging

(1) There shall not be in any store or receptacle for explosives any damaged or defective package containing explosives; upon damage becoming apparent such packages shall be repaired or other undamaged packages obtained and the explosive repacked.
(Licensee)

(2) There shall not be in any store or receptacle for explosives any explosive that is not packed in accordance with these regulations.
(Licensee)

(3) Any explosive which is spilt in a store or receptacle shall at once be carefully collected and destroyed.
(Licensee)

10.19—Security of store or receptacle

A person in charge of, attendant upon or occupying a store or having possession or custody of a receptacle containing explosives shall keep every door of that store, or the lid or cover of that receptacle securely locked at all times except during inspection or while any explosive is being brought into or removed from the store or receptacle.
(Licensee)

10.20—Action by inspectors

Notwithstanding anything contained in this Part, where an inspector finds in or in connection with any store or receptacle for explosives any thing or practice which, in his opinion, tends to endanger the public safety or the safety of any person or property, that inspector may, by direction in writing, or if that is not practicable in the circumstances, by oral direction, require the licensee, occupier, attendant or person in charge to remedy the need or matter with all practicable expedition; if that person fails or neglects to comply with that direction he shall be guilty of an offence and in addition to any other penalty the licence for the premises may be forthwith revoked by the Chief Inspector pursuant to section 22(3)(b) of the Act.

10.21—Provisions relating to keeping of different explosive compatibility groups

(1) Subject to subregulations (2) and (3) of this regulation a person shall not keep explosives of different compatibility groups in any one store or receptacle at any one time.
(Licensee)

(2) Blasting accessories which contain no exposed iron or steel and are not explosives of Compatibility Group B may be kept with blasting explosives of Classification Code 1.1D.
(Licensee)

(3) Detonators shall be kept in a separate store or receptacle or other place approved in writing by an inspector and exclusively appropriated for that purpose and situated at a safe distance from any other explosive.
(Licensee)

10.22—Information to be affixed to stores, receptacles and buildings containing explosives

There shall be kept constantly affixed—

(a) on either the outside or the inside of every store or receptacle for explosives in a legible form, the current licence or a statement of the quantities of explosives permitted to be in that store or receptacle, by or pursuant to these regulations together with a copy of these regulations; and

(b) on the outside of every receptacle for explosives and on the outside of or within one metre of the door of every store for explosives in conspicuous letters the word "EXPLOSIVES" or where detonators are kept in the receptacle or store the words "EXPLOSIVES" and "DETONATORS"; and

(c) at each entrance to any building in which a store or receptacle is situated the word "EXPLOSIVES" so as to appear conspicuously to every person approaching that entrance from the outside.

(Licensee)

10.23—Precautions to be taken in respect of explosives

Where there is any explosive in any premises or place all persons shall at all times take all practicable precautions whether specified by these regulations or not—

(a) for the prevention of accidents by fire or explosion; and

(b) for preventing persons from smoking near any such explosive; and

(c) for preventing unauthorised persons from having access to those premises or any explosive in those premises; and

(d) for preventing any act whatever which may cause fire or explosion and is not reasonably necessary for the purpose of handling or keeping the explosive.

(Licensee, person in charge)

10.24—Reporting of theft or loss of explosives etc

All theft or loss of or apparently unauthorised interference with any explosive from or in any store or receptacle for explosives shall immediately be reported to a member of the police force and to the Chief Inspector.
(Licensee)

10.25—Revocation of licence

Where a licensee commits a breach of these regulations the Chief Inspector may forthwith revoke the licence.

10.26—Issue of licence by council

Nothing in these regulations shall compel or be held to compel the holding of a licence issued by the Chief Inspector when a licence for the same purpose and covering the same period has already been issued by a municipal council.

Part 11—Licensing of magazines and storage therein

11.001—Application of Part

(1) If—

(a) ammonium nitrate blasting intermediate; or

(b) a quantity of security sensitive substance other than ammonium nitrate blasting intermediate exceeding 100 tonnes,

is stored together with or in the vicinity of other explosives, the security sensitive substance must be taken into account under this Part (see especially regulations 11.05 and 11.06) on the basis that it is an explosive of category ZZ.

(2) If a quantity of security sensitive substance other than ammonium nitrate blasting intermediate not exceeding 100 tonnes is stored together with or in the vicinity of other explosives, the security sensitive substance must be taken into account under this Part (see especially regulations 11.05 and 11.06) on the basis that it is an explosive of category ZZ with a mass that is half its actual mass.

(3) In this regulation—

ammonium nitrate blasting intermediate means security sensitive ammonium nitrate comprised of an emulsion, suspension or gel, primarily made up of ammonium nitrate (with or without other inorganic nitrates) and containing other substances such as oxidisers and fuels, and intended for use as a blasting explosive following modification prior to use.

11.01—Interpretation

In this Part, unless the contrary intention appears—

protected works shall include the places, structures, buildings and works listed in the headings of the columns appearing in Schedule T of these regulations.

11.02—Application for magazine licence

An application for a licence for a magazine for storage of explosives shall be made in the form prescribed in Schedule R and Schedule R1 by the owner or the person having charge for the time being of the magazine, and be directed to the Chief Inspector and be accompanied by the prescribed fee.

11.03—Form of application

The applicant shall furnish—

(a) an application in the forms prescribed in Schedule R and Schedule R1;

(b) all information indicated by those forms as being required.

11.04—Terms and conditions of licence etc

(1) The Chief Inspector may refuse an application, or defer granting a licence until the applicant complies with all conditions specified by the Chief Inspector in writing.

(2) A licence, if granted, shall be in the form prescribed in Schedule S.

(3) A licence granted under this Part shall be issued to the applicant and shall not be transferable.

(4) Subject to the provisions of regulation 11.06 of this Part a licence granted under this Part shall be valid only in respect of the location and for the nature and quantity of explosives specified in the licence.

(5) A licence shall be subject to these regulations, due compliance with which by the licensee shall be deemed to be a condition upon which the licence is issued.

(6) The Chief Inspector may include in a licence any condition which he may think fit to add.

(7) A licence shall continue in force for a period of 12 months commencing on the first day of the month in which the licence was issued, and may be renewed by payment of the prescribed fee before the expiration of the period of 12 months.

(8) The Chief Inspector may revoke the licence at any time if the holder has failed to comply with a condition of the licence or if in or in connection with the application for the licence a statement was made or information was furnished that was false or misleading in a material particular.

11.05—Distances between magazine and protected works

A licence shall not be issued where the distance between the magazine the subject of the application and any protected works is less than the appropriate distance indicated by Schedule T, unless in the opinion of the Chief Inspector special circumstances exist by virtue of which any given distance should be increased or reduced, in which case the distance determined by the Chief Inspector shall apply in place of the distance indicated as appropriate by Schedule T.

11.06—Portable magazine licence

The Chief Inspector may grant a licence for a portable magazine for the storage of explosives used or to be used in connection with seismic exploration, prospecting, well boring, fencing or similar activities. The licence may confine the use of the magazine to specified locations and shall have effect subject to the following conditions:

(a) The magazine when used for storing explosives shall be fixed in a position which is in accordance with the safety distances set out in Schedule T of these regulations.

(b) Each location of the magazine shall be advised in writing to the Chief Inspector within a period of seven days commencing immediately after the establishment of the location.

(c) The annual licence fee for a magazine licensed pursuant to this regulation and in which the quantity of explosives to be kept exceeds 60 kilograms shall be twice that which would be applicable to a fixed magazine licensed for a similar quantity of explosives.

(Licensee)

11.07—Determination of minimum distances

In determining the minimum distances required under regulation 11.05 or regulation 11.06 of these regulations for a magazine for the storage of detonators or for an annexe to a magazine, 1 000 detonators shall be taken as equivalent to the quantity of explosive shown in Schedule L of these regulations.

11.08—False or misleading statements

A person shall not in, or in connection with, an application for a licence under this Part make a statement that is false or misleading in a material particular.
(Licensee, applicant for licence)

11.09—Structural requirements of magazine

A person shall not use a magazine or any annexe to a magazine unless it is well and substantially built to afford protection from dampness and to afford reasonable security against unlawful entry and (except in the case of a magazine to be used exclusively for the storage of Ammonium Nitrate mixture or explosive packed in cans) is close lined throughout with wood or other suitable material, has a close joined wooden floor or a floor of other material approved by an inspector and is free of exposed iron or steel in the interior. A substantial close fitting door opening outwards and having hinges as far as may be practicable inaccessible from outside shall be securely fixed to each magazine or annexe thereto. The door shall be faced with iron on the outside and be provided with a substantial lock or locks. The word "EXPLOSIVES" or the words "EXPLOSIVES" and "DETONATORS" or the words "EXPLOSIVES" and "FIREWORKS" as the case may require shall be painted or marked conspicuously either on the outside of the door or within one metre of the door of any magazine and of any annexe.
(Licensee)

11.10—Information to be affixed to licensed magazine

There shall be kept constantly affixed either on the outside or on the inside of a licensed magazine, in such a form as to be easily read, the current licence or a copy thereof or a statement of the quantities of explosives permitted to be stored in the magazine together with a copy of these regulations.
(Licensee)

11.11—Licensed magazine to have lightning conductor

A licensed magazine shall not be used for the storage of any explosive unless either it is protected by an efficient lightning conductor or the Chief Inspector considers that a lightning conductor is unnecessary.
(Licensee)

11.12—Licensed magazine to be maintained etc

Every part of a licensed magazine shall be at all times maintained and used in accordance with the licence and the conditions of that licence, and no material alteration whatsoever shall be made to the magazine or any part of the magazine without the prior written approval of an inspector and subject to the conditions contained in that approval.
(Licensee)

11.13—Licensed magazine to be kept clean

A licensed magazine shall not be used for the storage of any explosive unless the interior of the magazine, any annexe to that magazine and the shelves and fittings of the magazine and annexe are kept clean and free from grit.
(Licensee)

11.14—Removal of explosives before repair of magazine or annexe

A person shall not repair any part of any magazine or annexe, or any article in any magazine or annexe, unless all explosives shall have been removed.
(Licensee)

11.15—Use of licensed magazine

A person shall not use a licensed magazine or an annexe to a licensed magazine for any purpose but the keeping of explosives and tools or implements approved for the work in connection with the keeping of the explosives.
(Licensee)

11.16—Removal of explosives from magazine for opening

A person shall not open or cause or permit any person to open any package containing any explosive while such explosive is in any magazine, but the package shall be removed to a safe distance from the magazine before it is opened or any attempt to open it is made.
(Licensee)

11.17—Tools used for opening package of explosives

A person shall not use or cause or permit any person to use any tool or implement in opening any package containing explosive unless that tool or implement is made only of wood, copper, brass or some soft metal or material, or unless that tool or implement is covered with a safe and suitable material.
(Licensee)

11.18—Prohibition on smoking

A person shall not smoke in any part of a magazine or in any annexe to a magazine or in the vicinity of either.
(Licensee)

11.19—No fire, matches etc in or near magazine or annexe

Fire, matches or any substance or article that is burning or likely to cause fire or explosion shall not at any time be introduced into or kept in a magazine or any annexe to a magazine or in the vicinity thereof.
(Licensee)

11.20—Intoxicated persons prohibited in magazine or annexe etc

A person while under the influence of intoxicating liquor or a drug shall not enter into or remain within a magazine, the annexe to a magazine or the vicinity of either. No intoxicating liquor or drug shall be in a magazine, an annexe to a magazine or the vicinity of either.
(Licensee)

11.21—Damaged or defective packaging

(1) There shall not be in any magazine or annexe to a magazine any damaged or defective package containing explosives; upon damage becoming apparent such packages shall be repaired or other undamaged packages obtained and the explosive repacked.
(Licensee)

(2) There shall not be in any magazine or annexe to a magazine any explosive that is not packed in accordance with these regulations.
(Licensee)

(3) All practicable precautions shall be taken in a magazine or an annexe to a magazine to prevent the spilling of explosives, and any explosive which is spilt shall at once be carefully collected and destroyed.
(Licensee)

11.22—Labelling requirements of explosives kept in magazine

There shall not be received into a magazine or the annexe to a magazine any explosive on the outer package or covering of which do not appear the words or characters required by these regulations to be legible thereon.
(Licensee)

11.23—Requirements of keeping explosives and detonators etc

(1) A person shall not keep explosives of different Compatibility Groups in a magazine at any one time except that blasting accessories that contain no exposed iron or steel and are not explosives of Compatibility Group B may be kept with blasting explosives of Classification Code 1.1D.
(Licensee)

(2) Ammonium Nitrate Mixtures of Classification Code 1.1D, if kept otherwise than in accordance with Part 4 of these regulations, shall be packed as required by Part 6.
(Licensee)

(3) Detonators shall be kept in a separate magazine annexe, store or receptacle exclusively appropriated for the purpose, and situated at a safe distance from any other explosive. A structure of a kind that is in accordance with the definition of a ***store*** in regulation 10.01 of Part 10 used exclusively for the keeping of detonators not exceeding in number 20 000 and situated at a site approved by an inspector and within 30 metres of a magazine may be considered as an annexe to that magazine.
(Licensee)

11.24—Supervision of persons under 16 years

A person under the age of 16 years shall not enter any magazine or the annexe to a magazine unless in the presence of and under the supervision of some responsible person.
(Licensee)

11.25—Precautions to be taken by employees

All persons employed in and about any magazine or the annexe to a magazine shall at all times take all practicable precautions whether specified by these regulations or not—

(a) for the prevention of accidents by fire or explosion; and

(b) for preventing persons from smoking near or in the vicinity of the magazine or annexe; and

(c) for preventing unauthorised persons from having access to the magazine or the annexe to the magazine or to any explosive in that magazine or annexe; and

(d) for preventing any act whatever which may tend to cause fire or explosion and is not reasonably necessary for the performance of the work in the magazine or annexe.

(Licensee)

11.26—Reporting of theft or loss etc of explosive in magazine

All theft or loss of, or apparently unauthorised interference with, an explosive in a magazine or the annexe to a magazine shall immediately be reported to a member of the police force and to the Chief Inspector.
(Licensee)

11.27—Issue of licence by council

Nothing in these regulations shall compel or be held to compel the holding of a licence issued by the Chief Inspector when a licence for the same purpose and covering the same period has already been issued by a municipal council.

Part 12—Management of government magazines

12.01—General rules

The following general rules shall be observed in the management of Government magazines:

(a) In any Government magazine, every building, cabin or hold in which any explosive is kept or liable to be kept shall be deemed to be a danger building.

(b) Every danger building shall be used only for—

(i) the keeping of explosives in a manner sanctioned by these regulations; and

(ii) the keeping of receptacles for tools and implements for work connected with keeping of explosives.

(c) The interior of every danger building, and the benches, shelves, and fittings in a danger building shall be so constructed, or so lined or covered, as to prevent—

(i) the exposure of any iron or steel; and

(ii) the detaching of any grit, iron, steel or similar substance which may come into contact with the explosive in a danger building; and the interior, benches, shelves, and fittings in every danger building shall, so far as is reasonably practicable be kept clean and free from grit.

(d) Every magazine shall have attached thereto a sufficient lightning conductor, unless by reason of the situation of such magazine or for any other reason the Chief Inspector considers a conductor unnecessary.

(e) Charcoal, whether ground or otherwise, and oiled cotton, oiled rags, and oiled waste, and any article whatever liable to spontaneous ignition, shall not be taken into a magazine, except for the purpose of immediate supply for work or immediate use in a magazine, and upon the cessation of such work or use shall be removed forthwith.

(f) Before repairs are done to any danger building, it shall, so far as practicable, be cleaned by the removal of all explosives, and by a thorough washing out. After that cleaning that danger building shall not be deemed a danger building within the meaning of these rules until explosive is again taken into it.

(g) All tools and implements used in or in any repairs to or in a danger building, or used in the opening, securing, or removal of any packages containing explosives, whether in a danger building or not, shall be made only of copper, bronze, brass, gunmetal, or wood, or other material approved by the Chief Inspector.

(h) No fires, lights, matches, or any substance or article likely to cause explosion or fire shall be introduced into or be permitted to be at any time in a magazine, except in accordance with the provisions of Special Rules in that behalf set out in regulation 12.02.

(i) Provision shall be made by—

(i) the use of suitable working clothes, without pockets; and

(ii) suitable shoes; and

(iii) searching; and

(iv) any other effective means,

for preventing the introduction into any danger building of any fire, matches, or any substance or article likely to cause explosion or fire, and for preventing the introduction of any iron, steel or grit into any part of a danger building where it would be likely to come into contact with explosive; and in any magazine in which any explosive is kept which is liable to be dangerously affected by water adequate precautions shall be taken to exclude water from such magazine; but this rule shall not prevent the introduction of an artificial light of such construction, position and character as not to cause any danger of fire or explosion.

(j) No person shall smoke in any part of a magazine, or in any annexe thereto.

(k) Any vehicle, boat or other receptacle in which explosives are conveyed in, to or from a magazine or any part thereof shall, unless specially exempted by the Chief Inspector, be constructed without any exposed iron or steel in the interior thereof, and shall contain only the explosive, and shall be closed or otherwise properly covered over; and the explosive shall be unloaded, loaded and conveyed with all due diligence, and with such precautions and in such manner as will sufficiently guard against any accidental ignition or explosion.

(l) While any explosive is being received into or delivered out of a magazine, or while the hatches or doors of any danger building or the hatches or coverings of any vehicle, ship or boat which contains any such explosive are open, no fire or unprotected light shall be allowed within seven metres of that magazine; and when any vehicle, ship or boat having on board a fire, other than engine fires properly banked-up, or unprotected lights, is alongside a magazine containing any explosive, or in its vicinity no receipt or delivery of explosive shall be carried on, and the hatches or doors of any danger building shall not be open.

(m) No explosive of classification code 1.1A shall be kept in any Government magazine, except in a magazine used solely for the purpose.

(n) Explosives of different Compatibility Groups shall not be in a magazine at any time except that blasting accessories which contain no exposed iron or steel and are not explosives of Compatibility Group B may be kept with blasting explosives of Classification Code 1.1D.

12.02—Special rules

The following special rules shall be observed in the management of Government magazines:

(a) Every Government magazine shall be under the control and management of the Chief Inspector, but in immediate charge of an officer-in-charge or other person duly authorised by the Chief Inspector.

(b) It shall be the duty of an officer-in-charge to be present when a magazine is opened; to superintend the receipt, issue and stowage of explosives, and all operations connected with the examination and overhaul of explosives; to keep a daily journal of all such transactions, and a ledger showing particulars of all explosives stored in the magazine, and the receipt and issue thereof; to see that all buildings, vessels, tools, plant under his care are kept in proper order; to remain at the magazine during working hours, and on no account to absent himself except when on duty and with the permission of the Chief Inspector; to see that all doors, windows, ports, shutters, hatches of the magazine or boats are well secured on leaving off work, and to receive into his charge all keys to locks on any opening; to exercise a diligent and careful supervision of the duties and conduct of all persons under him; to see that the provisions of the Act, and any regulations thereunder in so far as they apply, are strictly enforced; and to report generally to the Chief Inspector on all matters relating to his office and the conduct of those persons under him.

(c) A person shall not be admitted within 20 metres of a Government magazine, except with the authority of the Chief Inspector, and when so admitted shall be attended by an Inspector of Explosives, Magazine Keeper or Assistant Magazine Keeper, who shall be responsible to ensure that all necessary precautions are adopted.

(d) Except with the permission of the Chief Inspector, Government boats or vehicles kept for the carriage or transport of explosives shall not be used for any other purpose than work connected with the conduct of the work of the magazines or incidental thereto, and when not in use shall be well secured.

(e) On the approach of a thunderstorm, the receipt, delivery, examination, loading or unloading of explosive shall cease at once and all magazines, danger buildings and boats shall be immediately closed and made secure.

(f) Should any extraordinary or unusual circumstance come under the notice of any person employed in or in connection with a magazine he shall at once bring the same under the notice of the officer-in-charge.

(g) No dry undergrowth or dry grass shall be allowed to accumulate within the precincts of any magazine.

(h) Lightning conductors shall always be kept in proper repair, and shall be tested annually. When lightning conductors are supplied with wells, such shall be kept constantly full of water.

(i) If a magazine be supplied with a hydrant service, fire-engine or other appliance, that appliance shall be kept in thorough working order, and shall be so placed as to be always ready and fit for immediate use.

(j) Magazines shall be regularly aired, but with due regard to the weather and the state of the atmosphere. Generally speaking, the conditions are favourable for ventilating a magazine when the temperature of the inside is higher than that of the outside air; but when the latter is very dry, a magazine may be ventilated with advantage when its temperature is below that of the outside air. Magazines must not be aired or kept open longer than absolutely necessary in very wet or damp weather.

(k) The floors or decks of every building or vessel forming part of a Government magazine shall be frequently swept. In the case of a floating magazine, the upper deck shall be scrubbed down, and the vessel pumped out at least once a week and oftener if necessary.

(l) The keys of every Government magazine shall remain in the care of the officer-in-charge, and in his absence shall be transferred to the care of a deputy.

(m) All gates, hatches, windows, and doors of a magazine shall be kept securely locked except during inspection, or except when explosives are being received into or issued therefrom, or except when a magazine is open for some other necessary purpose in connection with the management thereof.

(n) No fires, smoking or unprotected lights shall be permitted within the magazine precincts, or in or near any magazine, danger building or landing place.

(o) A person under the influence of intoxicating liquor or a drug shall not be permitted to enter or remain within a magazine or its precincts, and no intoxicating liquor shall be taken into a magazine or any boat or vessel connected with or in the vicinity thereof.

(p) A person shall not enter a magazine or danger building whilst carrying or having about his person any fire, lights, matches, grit, iron, steel or other article liable to cause explosion or fire. A person about to enter a magazine shall either himself examine his clothing or, if required, shall submit himself to examination to ensure the strict observance of this rule.

(q) A person shall not enter a magazine or danger building unless he is wearing the special magazine shoes provided for the purpose.

(r) A sufficient supply of magazine shoes without any iron or steel about them, and over-shoes or galoshes, shall be provided at every Government magazine.

(s) The officer-in-charge shall take special precautions to ensure the observance of the three last preceding rules, and shall, himself, occasionally search employees, or cause them to be searched, with a view to preventing the introduction into any danger building or magazine of any article or substance liable to cause explosion or fire.

(t) All explosives kept in a Government magazine shall be packed in the manner directed by these regulations for the packing of explosives.

(u) Every broken or defective package containing any explosive received at a Government magazine shall be repaired as soon as possible, and no insecure or defectively-constructed package shall be issued therefrom.

(v) All explosives conveyed to or from a Government magazine shall be conveyed in accordance with the regulations relating to conveyance.

(w) No package of explosive shall be opened or remain open in any magazine or danger building where explosives are stored therein. When any package of explosive has to be opened or closed, or its contents overhauled, it shall be taken to a special building or boat, or on to the upper deck of a floating magazine, the floor or deck of which shall be covered with canvas or other suitable material.

(x) Except in cases of extreme urgency which will not admit of the observance of the conditions prescribed by paragraphs (f) and (g) of regulation 12.01, no tool or implement of any description shall be taken into a magazine or danger building for any purpose whatever, unless that tool or implement is made of copper, bronze, brass, gunmetal or wood.

(y) Every package of explosives shall be carried or passed from man to man unless otherwise conveyed; on no account shall any package be pitched, thrown, slung, slid or rolled.

(z) When stacking packages of explosives in a magazine, space shall be left between packages and between the packages and the wall to allow free circulation of air.

(aa) No delivery of explosives from a Government magazine shall be made without a written order from the officer-in-charge or his deputy, duly signed by either of them, and such delivery shall be made only in the presence of the officer-in-charge or his deputy.

(ab) The officer-in-charge and every person employed in and about a magazine shall take all due precautions for the prevention of accidents by fire or explosion in the same, and for preventing unauthorised persons having access to the magazine, or any part thereof, or to the explosives therein, and shall abstain from any act whatever which may tend to cause fire or explosion, and is not reasonably necessary for the purpose of the work in such magazine.

12.03—Penalty provision

The penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $500.

Part 13—Importation of explosives

13.001—Application of Part

This Part does not apply in relation to a security sensitive substance.

13.01—Interpretation

In this Part—

owner, ***consignee*** and ***consignor*** include persons acting as agents for an owner, consignee and consignor, respectively.

13.02—Importing explosives into South Australia

No lot, parcel or consignment of explosive exceeding 15 kilograms of gunpowder or three kilograms of any other explosive shall be brought into the State of South Australia unless the owner, consignee, consignor or carrier—

(a) holds a licence to import explosives; and

(b) has first given at least two clear working days notice in writing (in the form of Schedule A) to the Chief Inspector and, if the explosives are to be landed at a port, to the Harbormaster at Port Adelaide.

Provided that a licence shall not be required where a person imports safety cartridges not exceeding 2 000 in number for his own use and not for sale.
(Owner, consignee, consignor, carrier)

13.03—Inspection, examination and analysis of explosives entering South Australia

Every lot, parcel or consignment of explosive exceeding the limits specified in regulation 13.02 of this Part shall, as soon as practicable after entering South Australia be deposited in a Government magazine or such other place as may be directed by the Chief Inspector for the purposes of inspection, examination and analysis as may be required by the Chief Inspector and shall not be removed therefrom without the authority of the Chief Inspector. All costs of storage, inspection, examination and analysis shall be borne by the owner or the consignee of the explosives.
(Owner, consignee, consignor, carrier)

13.04—Imported explosives to be classified

A person shall not import or cause or permit any person to import any explosive into the State of South Australia unless that explosive has been classified and defined by the Chief Inspector, with the consent of the Governor pursuant to section 6 of the Act, except in such quantity and under such conditions as may be permitted by the Chief Inspector.
(Owner, consignee, consignor, carrier)

13.05—Application for licence to import explosives

Application for a licence to import explosives shall be made to the Chief Inspector either by the owner, consignee, consignor or carrier of the explosive or by an agent for the owner, consignee, consignor or carrier resident in South Australia. The application shall be in the form prescribed in Schedule B and shall be accompanied by the prescribed fee.

13.06—Refusal or grant of licence

The Chief Inspector may refuse a licence, or may grant a licence subject to such reasonable conditions as he includes in the licence.

13.07—Detonators etc to be marked

A person shall not, without the approval of the Chief Inspector in writing, carry or bring or cause or permit any person to carry or bring into the State of South Australia any detonator, blasting cap or detonating relay which is not marked in accordance with the provisions of Part 6.

13.08—Form of licence

A licence issued under this Part shall be in the form prescribed in Schedule C.

13.09—Terms and conditions of licence

The following provisions shall apply to a licence granted under this Part:

(a) the licence shall be issued to the owner, consignee, consignor or carrier and shall not be transferable;

(b) the licence shall be subject to these regulations, the due performance of which by all concerned shall be a condition upon which a licence has been issued;

(c) the licence shall continue in force for a period of 12 months commencing on the first day of the month in which the licence was issued but may be renewed before the expiration of a period of 12 months by payment of the prescribed fee;

(d) a licence may be revoked by the Chief Inspector at any time if the holder has failed to comply with the conditions of the licence.

13.10—False or misleading statements

A person shall not in or in connection with an application for a licence under this Part make a statement that is false or misleading in a material particular.

13.11—Explosives to be packaged and labelled

A person shall not carry or bring into the State of South Australia any explosive which is not packed and labelled in accordance with the provisions of Part 6.
(Owner, consignee, consignor, carrier)

13.12—Penalty provision

The penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $500.

Part 14—Sale of explosives other than fireworks

14.001—Application of Part

This Part applies to explosives other than fireworks or security sensitive substances.

14.01—Permit for sale and custody etc of explosives

Subject to this Part a person shall not—

(a) sell, give, exchange or supply explosives to a person who is not the holder of a current permit to purchase explosives; or

(b) receive into his custody, possession or control any explosives unless he is the holder of a current permit to purchase explosives:

Provided that this regulation shall not apply to a person who receives explosives only for the purpose of transporting them for delivery to a person to whom has been issued a current permit to purchase explosives.

14.02—Issue of permit

(1) A permit shall be issued by an Inspector of Explosives, by an Inspector of Mines or by a member of the police force stationed at a police station near either the place of residence or the place of business of the applicant.

(2) A permit shall not be issued pursuant to subregulation (1) of this regulation where the Inspector of Explosives, the Inspector of Mines or the member of the police force, as the case may be, to whom an application for a permit is made, is satisfied upon reasonable grounds that such permit should not be issued to the applicant.

14.03—Application for permit

An application for a permit to purchase explosives shall be in the form set out in Schedule D. A person shall not in or in connection with an application for a permit under this regulation make a statement that is false or misleading in a material particular.

14.04—Terms of permit to be complied with

A person to whom a permit has been granted shall comply with the terms of the permit and with these regulations.

14.05—Period of permit

(1) A permit to purchase explosives shall continue in force for a period of 12 months from the date of issue or for such shorter period as is stated in the permit.

(2) A permit may be revoked by the Chief Inspector at any time if the holder has failed to comply with the terms of the permit or with these regulations.

14.06—Permit holder to be fit and proper person

A natural person is not entitled to the grant of a permit unless he or she is a fit and proper person to hold the permit and has attained the age of 18 years.

14.07—Form of permit

A permit to purchase explosives shall be in the form set out in Schedule E.

14.08—Quantity of explosives not to exceed licensed storage available

A person shall not at any one time receive a quantity of explosives in excess of the licensed storage available to him unless the excess explosive is used immediately and not stored and the record of the sale is endorsed by the purchaser with a statement to that effect. In this regulation the term ***licensed storage*** includes any underground storage in respect of which notice has been given under regulations made under the *Occupational Health, Safety and Welfare Act 1986*.

14.09—Records to be kept

Every sale of explosives shall be recorded by the seller and the records shall, for a period of at least two years commencing on the day of the sale, be available for inspection by any Inspector of Explosives, Inspector of Mines or member of the police force. The records shall show with reasonable particularity, the name of the vendor, the name and address of the purchaser, the serial number of the permit under which the explosives are purchased, and the date and the quantity and description of the explosives sold and the signature of the purchaser.
(Vendor)

14.09A—Terms of model rocket engine permits issued to incorporated associations

(1) A permit to purchase model rocket engines (as defined by the Director under section 6 of the Act) issued under this Division to an association incorporated under the *Associations Incorporation Act 1985* is subject to the following terms:

(a) the association is not authorised to receive model rocket engines except through a member of the association who—

(i) has attained at least 15 years of age; and

(ii) is authorised in writing by the association to receive model rocket engines under the permit; and

(iii) complies with any conditions to which the authorisation is subject; and

(b) the association must record (and make the record available for inspection and copying at the request of an inspector)—

(i) the name and address of each member authorised to receive model rocket engines; and

(ii) a description of the kind and quantity of model rocket engines the member is authorised to receive; and

(iii) any conditions to which the authorisation is subject; and

(c) any other terms specified in the permit.[1]

(2) Nothing in this Division requires a member of an incorporated association that holds a current permit under the Division to himself or herself hold a permit in relation to model rocket engines received by the member in accordance with an authorisation given to the member by the association under the terms of its permit.

(3) For the purposes of this Division a sale of model rocket engines to a member of an incorporated association that holds a current permit under this Division in accordance with an authorisation given to the member by the association under the terms of its permit will be taken to be a sale made under the association's permit.

Note—

1 The permit will specify the kind and quantity of explosives that may be received under the permit.

14.09B—Terms of model rocket engine permits for specified educational programs

(1) A permit to purchase model rocket engines (as defined by the Director under section 6 of the Act) issued under this Division in connection with an educational program specified in the permit is subject to the following terms:

(a) model rocket engines may only be received and used for the purposes of the specified program; and

(b) the permit holder may only sell or otherwise supply model rocket engines received under the permit to participants in the specified program who have attained 15 years of age; and

(c) the permit holder must record (and make the records available for inspection and copying at the request of an inspector)—

(i) the name and address of each person to whom the model rocket engines are sold or otherwise supplied; and

(ii) the quantity and description of the model rocket engines supplied; and

(iii) the date of supply; and

(d) any other terms specified in the permit.[1]

(2) Nothing in this Division requires the participants in an educational program in connection with which a permit has been issued under this Division to themselves hold a permit under this Division in relation to model rocket engines received from the holder of the permit for use in the program.

Note—

1 The permit will specify the kind and quantity of explosives that may be received under the permit.

14.10—Application of this Part

None of the foregoing regulations of this Part shall apply to the following:

(a) propellant powders and black powder other than blasting powder in quantities not greater than three kilograms;

(b) safety ammunition, safety fuse, railway fog signals and percussion caps;

(c) Very signal cartridges;

(d) rockets or other distress or signalling devices *bona fide* required for equipping any boat, vessel or aircraft.

14.11—Exposure and display of explosives for sale

(1) Subject to subregulations (2) and (3) of this regulation, an explosive shall not be exposed for sale or displayed in any shop or shop window, or hawked or exposed for sale on or in any highway, street, road, public thoroughfare or public place.
(Vendor)

(2) A quantity of propellant powder of 0.5 kilogram or less packed as required by Part 6 may be displayed in a shop in a position not ordinarily accessible to the public.
(Vendor)

(3) Safety ammunition may be displayed in a shop in a position not ordinarily accessible to the public.
(Vendor)

14.11A—Sale of safety ammunition etc to persons under 15 years

A person shall not sell safety ammunition, percussion caps, gunpowder, smokeless powder or other propellant powder to any person under the age of 15 years.
(Vendor)

14.12—Packaging and labelling of explosives for sale

All explosives when sold shall be in a substantial case, bag, canister or other package in accordance with the requirements of Part 6 made and closed so as to prevent the explosives from escaping and labelled in accordance with the requirements of Part 6. (Vendor)

14.35—Penalty provision

The penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $500.

Expiation fee: $100.

Part 15—Miscellaneous

15.01—Payment rates for attendance of inspector or magazine employee

The owner, master or agent of any ship or boat, and the owner of any explosive being loaded on or unloaded from any road or railway vehicle, or his agent, shall pay for the attendance of any inspector or magazine employee during the loading or unloading of any explosive at the following rates relative to the weekly wages of such inspector or magazine employee at that time:

(a) between the hours of 5.00 p.m. any weekday and 8.00 a.m. on the following day, or at any time in the forenoon of any Saturday, at the rate of time and one half;

(b) at any time after noon on any Saturday, or at any time on any Sunday or public holiday, at the rate of double time.

15.02—Liability for charges for holding of explosives while ship in port

All charges incurred in the holding of interstate or overseas cargoes of explosives during a vessel's stay in port shall be paid by the owner, master or agent of the ship.

15.03—Expenses payable for attendance of Inspector or Magazine Keeper

The actual amount incurred for labour and other necessary expenses shall be payable for the attendance of every Inspector, Magazine Keeper or Assistant Magazine Keeper during handling of interstate or through cargo or when a vessel containing explosives is working general cargo.

15.05—Fees and charges for examination of explosives

Subject to the Act there shall be payable the following fees or charges in respect of every examination of explosives, namely:

The actual sum incurred for labour, travelling time, travelling expenses and other necessary expenses in procuring samples of explosives for testing purposes and in transmitting those samples to such place as the Chief Inspector may require.

15.06—Fees and expenses payable in relation to destruction or disposal of explosives

Subject to the Act if at any time explosives are, in the opinion of an inspector, in any way damaged or defective or likely to become a source of danger during transport, storage or use, the importer, owner or agent, shall, in the presence of an inspector, and in a manner approved by him, destroy or otherwise dispose of such explosives, the fee and expenses of such inspector being paid by the owner; if the importer, owner or agent refuses or neglects to destroy or dispose of such explosive immediately in the manner approved by the inspector then the Chief Inspector may proceed to remove and destroy the said explosive at the cost and expense of the owner.

15.07—Explosives not to be abandoned

A person shall not abandon any explosive.

15.07A—Prohibited model rocket engines and distress signals

A person must not manufacture, keep, convey, sell or use—

(a) a model rocket engine or distress signal that is constructed in a manner that may allow the escape of an explosive substance from its casing; or

(b) a distress signal that contains a mixture of a chlorate with sulphur, a sulphide or phosphorus other than for the purpose of its means of ignition; or

(c) a distress signal that explodes wholly or in part and contains a mixture of a chlorate with aluminium or magnesium.

15.07B—Disposal of out of date distress signals

The owner of a distress signal that becomes outdated must deliver it for disposal—

(a) to a police station; or

(b) to a person approved by the Director.

15.07C—Production of licence, permit or other authorisation

An inspector may direct a person to produce for inspection a licence, permit or other authorisation held by the person under the Act or regulations made under the Act.

15.08—Inspection etc of explosives stored in Government magazine

Explosives presented for storage in a Government magazine shall be subjected to such inspection, examination and analysis as the Chief Inspector may require, and explosives stored in a Government magazine shall be subjected to such periodical inspection, examination and analysis as the Chief Inspector may require; all fees, charges and costs shall be borne by the owner of the explosives.

15.09—Fees

Fees as shown in Schedule V shall be payable in respect of the matters set out in that Schedule, except that departments and instrumentalities of the South Australian Government shall be exempted from the payment of such fees.

15.10—Prohibition of unclassified explosives unless authorised by Chief Inspector

A person shall not bring or carry into or manufacture, mix, sell, store or carry in the State of South Australia or cause or permit any person to bring or carry into, manufacture, mix, sell, store or carry in the State of South Australia any explosive which has not been classified and defined by the Chief Inspector with the consent of the Governor pursuant to section 6 of the Act, except in such quantity and under such conditions as may be permitted by the Chief Inspector.

15.11—Loading and unloading from Government lighter

During the loading of any explosive from a ship or boat into a Government lighter, or the unloading of any explosive into a ship or boat from a Government lighter, the explosive shall be received or delivered only by officers of the Department of Transport or of the Chief Inspector at the lighter's rails.

15.12—Storage and carriage of explosives by certain persons without complying with regulations

When a reasonable cause exists, Inspectors of Explosives, Inspectors of Mines and members of the police force may store or carry explosives or cause or permit explosives to be stored or carried otherwise than in accordance with these regulations.

15.13—Penalty provision

The penalty for any contravention of or any failure to observe any provision of any regulation contained in this Part shall be a fine not exceeding $500.

Expiation fee: $100.

Schedule AA—Duties and responsibilities

(Regulation 1.06)

Number of Regulation, Subregulation or other Provision	Title or description of Person or Persons
3.07—3.11 (inclusive)	Occupier
3.12(2)	Occupier
3.13—3.15 (inclusive)	Occupier
3.16(1) (2)	Occupier
3.17—3.19	Occupier
3.20(1) (2)	Occupier
3.21	Occupier
3.22(1) (2)	Occupier
3.23—3.28 (inclusive)	Occupier
3.29(1) (2)	Occupier
3.30	Occupier
4.02	Person mixing or using, occupier of the place
4.03(3)	Licensee, applicant for licence
4.07—4.12 (inclusive)	Licensee, person in charge
4.13—4.14 (inclusive)	Licensee
4.15	Licensee, person in charge
4.17—4.18 (inclusive)	Licensee
4.19—4.26 (inclusive)	Licensee, person in charge
4.27	Licensee
5.03—5.06 (inclusive)	Licensee, person in charge
5.07	Licensee
6.02—6.03 (inclusive)	Owner, manufacturer
6.04(1) (3)	Owner, manufacturer
6.05(1) (2)	Owner
6.06—6.09	Owner, manufacturer
6.10(1) (2) (3)	Owner, manufacturer
7.02(1)	Owner, driver
7.05	Licensee, applicant for licence
7.06—7.09 (inclusive)	Licensee, person in charge of vehicle or boat (as case requires)
7.10(1) (2) (3)	Licensee, person in charge of vehicle or boat (as case requires)
7.11	Licensee, person in charge of vehicle

Number of Regulation, Subregulation or other Provision	Title or description of Person or Persons
7.12(2) (3)	Licensee, person in charge of vehicle or boat
7.13(1)	Licensee, person in charge of vehicle
7.13(2)	Person in charge of boat
7.13(3) (4) (5)	Licensee, person in charge of vehicle or boat (as case requires)
7.13(6)	Person in charge of boat
7.13(7) (8) (9)(a)	Licensee, person in charge of vehicle or boat
7.13(9)(b)(c)	Licensee, person in charge of vehicle
7.13(10)(a)	Person in charge of vehicle or boat
7.13(10)(b)	Licensee, person in charge of vehicle or boat
7.13(11)	Licensee, person in charge of vehicle
7.13(12) (13) (14) (15) (16) (17)	Licensee, person in charge of vehicle or boat
7.13(18)	Person in charge of vehicle or boat
7.13(19)	Licensee, person in charge of vehicle or boat
7.13(20)(a)	Licensee, person in charge of vehicle
7.13(20)(b)	Licensee, person in charge of boat
7.13(21) (22) (23)	Licensee, person in charge of vehicle or boat
7.14	Licensee, person in charge of vehicle
7.15(1)	Consignor
7.15(2)	Consignee
7.16	Person in charge of vehicle or boat
7.17	Licensee, person in charge of vehicle or boat
7.18	Manager of tramway or railway
7.19	Consignor, person in charge of vehicle
7.21	Licensee, master, person in charge
7.22	Licensee, master, person in charge of vehicle or boat
8.03	Master, person in charge, owner, agent
8.04	Master, owner, agent, stevedore
8.05	Master
8.06	Owner, person in charge of boat
8.07	Master, owner, agent
8.08(1) (2)	Master
8.08(3) (4) (5)	Master, stevedore
8.08(6) (7)	Stevedore
8.08(8)	Master, person in charge
8.08(9) (10)	Master, stevedore

Number of Regulation, Subregulation or other Provision	Title or description of Person or Persons
8.08(11)	Master of ship or person in charge of boat navigating in vicinity
8.09—8.11 (inclusive)	Master, person in charge
8.12—8.13 (inclusive)	Master, person in charge, stevedore
8.14(a)	Master, person in charge
8.14(b)(c)	Master, person in charge, stevedore
8.14(d)	Master, person in charge
8.15	Master
8.16	Master, owner
8.17	Master, person in charge
8.18	Master, person in charge, owner, agent
9.02—9.03 (inclusive)	Owner of explosives
10.07	Licensee, applicant for licence
10.08—10.09 (inclusive)	Licensee
10.12(1)	Licensee
10.13—10.17 (inclusive)	Licensee
10.18(1) (2) (3)	Licensee
10.19	Licensee
10.21(1) (2) (3)	Licensee
10.22	Licensee
10.23	Licensee, person in charge
10.24	Licensee
11.06	Licensee
11.08	Licensee, applicant for licence
11.09—11.20 (inclusive)	Licensee
11.21(1) (2) (3)	Licensee
11.22	Licensee
11.23(1) (2) (3)	Licensee
11.24—11.26 (inclusive)	Licensee
13.02—13.04 (inclusive)	Owner, consignee, consignor, carrier
13.11	Owner, consignee, consignor, carrier
14.09	Vendor
14.11(1) (2) (3) (4)	Vendor
14.11A	Vendor
14.12	Vendor
15.07A	Any person
15.07B	Owner

Schedule A—Notice of intention to import explosives

(Regulation 13.02(b))

* Director, Department for Industrial Affairs, Box 465, GPO Adelaide, SA 5001

* The Harbormaster, Department of Transport, Port Adelaide, SA 5015

Dear Sir,

In accordance with regulation 13.02 under the above Act, we hereby give notice that it is our intention to bring the undermentioned explosives into South Australia by sea*/rail*/road*:

Name of owner or consignor .....

Address of owner or consignor .....

Name of consignee .....

Address of consignee .....

Name of ship or carrier .....

Name and address of ship's agent .....

Point of entry into South Australia .....

Destination of consignment .....

Expected date of arrival at point of entry into South Australia .....

Number of packages	Package numbers	Mass of each package		Description *(including classification code also name and address of manufacturer)*
		Gross	Net	

Yours faithfully,

.....

**Owner or Consignee, or Agent for Owner or Consignee*

.....

.....

.....

Address

Date ..... 20 .....

**Strike out whichever is not applicable*

Schedule B—Application for licence to import explosives

(Regulation 13.05)

1 Full name of applicant *(surname in BLOCK letters)* .....
.....

2 Occupation .....

3 Address .....
.....
.....

4 Postal address, if different from above .....
.....
.....

5 State whether owner, consignee, consignor or carrier or whether agent for owner, consignee, consignor or carrier .....
.....

6 Classification Code(s) of explosives for which licence is required .....

.....
Signature

Date ..... 20 .....

To: Director Department for Industrial Affairs Box 465, GPO Adelaide, SA 5001	(FOR OFFICE USE ONLY) INSPECTOR'S REPORT Licence may be issued for Classification Code .....
Fee paid ..... Receipt No ..... Receiver of Revenue ..... Date	..... *Inspector* Licence No .... issued, expires ..... 20 .....

Schedule C—Licence to import explosives

(Regulation 13.08)

Issued to .....

of .....

for the importation of the following:

* Explosives of Classification Code *1.2G, *1.3G, *1.4G and *1.4S.

Explosives of Any Classification Code.

This licence (unless previously revoked) shall expire on the ..... day of ..... 20 .....

Dated the ..... day of ..... 20.....

.....

Director

**Strike out whichever is not applicable.*

Schedule D—Application for permit to purchase explosives

(Regulation 14.03)

Name of applicant .....

Residential or business address of applicant .....

.....

Postal address of applicant if different from above .....

.....

Type(s) of explosives required

* Blasting explosives

* Propellant powder

* Other *(specify)* .....

Purposes for which explosives are required .....

Licensed storage of applicant .....

(See note below)

..... detonators of size .....

..... kg or other blasting explosives

..... kg .....

Insert any other types of explosives for which licensed storage is provided.

If explosives will be stored in a magazine or in premises licensed in the name of another person, give details

Name of licensee .....

Address of licensee .....

.....

Location of licensed magazine or premises .....

.....

A letter from the licensee agreeing to the arrangement must accompany this application

* *Strike out whichever is not applicable.*

† *Applications must be submitted to the Director, Department for Industrial Affairs, Box 465, GPO Adelaide, SA 5001*

Date .....

.....

Signature of applicant

Note—Licences for the storage of explosives and for the carriage of explosives in a vehicle may be required *(see over)*.

(FOR OFFICE USE ONLY)

Permit No .....

Issued at .....

Date .....

* Inspector of Explosives

* Inspector of Mines

* Police Officer

† These permits may be issued by Inspectors of Explosives only.

Schedule E—Permit to purchase explosives

(Regulation 14.07)

Issued to ..... of .....
..... and current for 12 months from the date of issue (unless previously cancelled) for the purchase of—

* Blasting explosives.
* Propellant powder.
* Other *(specify)* .....

Issued at ..... this ..... day of ..... 20 .....

* Inspector of Explosives
* Inspector of Mines
* Police Officer

.....
Signature of permit holder

Note—On the expiration of this permit it is the responsibility of the holder to renew. Renewal notices are not sent.

* *Strike out whichever is not applicable.*
† *Permits may be issued by Inspectors of Explosives only.*

Schedule H—Application for licence for factory to manufacture explosives

(Regulation 3.01)

1 Full name of applicant *(surname in BLOCK letters)* .....
.....

2 Occupation .....

3 Address .....
.....
.....

4 Postal address, if different from above .....
.....

5 Proposed location of factory. *(If in a town, give street and number; if elsewhere, give section, hundred and district.)* .....
.....

6 Types of explosives proposed to be manufactured at the factory .....
.....

7 Anticipated annual production .....

8 The following information is also to be supplied and attached to this application:

(a) two copies of a plan, drawn to scale, showing the proposed location of the factory;

(b) two copies of a plan, drawn to scale, of the proposed factory;

(c) a specification showing the character and construction of all buildings, mounds and works existing or proposed to be erected on the site of or connected with the factory, and such of the following matters as are applicable:

(i) the nature of and the place at which each process of manufacture and each description of work is to be carried on;

(ii) the places at which explosives and ingredients of explosives and any articles which are flammable or otherwise dangerous are to be kept;

(iii) the amount of explosives and ingredients thereof, wholly or partially mixed, to be allowed at any one time in any building or machine or in any process of manufacture;

(iv) the maximum number of persons to be employed in each building or room, and

(v) any special conditions;

(d) written approval of the local governing body of the area in which it is proposed to establish the factory.

To: Director Department for Industrial Affairs Box 465, GPO Adelaide, SA 5001	(FOR OFFICE USE ONLY) INSPECTOR'S REPORT Licence may be issued for the manufacture of ....
Fee paid ..... Receipt No ..... Receiver of Revenue ..... Date .... *Signature* ..... *Date*	Licence No .... issued expires ..... 20 .....

Schedule I—Factory licence to manufacture explosives

(Regulation 3.06(b))

The factory as shown on the attached plans (which have been signed by the Director) and situated at .....
is hereby licensed for the manufacture of the following explosives: .....
.....
.....
subject to the provisions of the *Explosives Act 1936* and the regulations made thereunder and to the conditions, limitations and restrictions contained herein and attached hereto.

This licence is issued to .....
of ..... being the occupier of the aforesaid factory.

This licence (unless previously revoked) shall expire on the ..... day of ....., 20 .....

Dated this ..... day of ....., 20 .....

.....
Director

Schedule J—Application for licence to mix and use ammonium nitrate mixture

(Regulation 4.03(1))

1 Full name of applicant .....
(surname in BLOCK letters)

2 Occupation .....

3 Address of applicant .....
.....
.....

4 Postal address, if different from above .....
.....

5 Materials to be mixed with ammonium nitrate .....
.....

6 Place(s) where the explosive mixture is to be used .....
.....

7 Purpose *(quarrying, roadworks, stump blowing etc)* .....
.....

8 Name of operator of workings *(if applicant, state "As above")* .....
.....

.....
Signature

Date .....

Note—A separate licence is required for each type of ammonium nitrate mixture used.

To: Director Department for Industrial Affairs Box 465, GPO Adelaide, SA 5001	(FOR OFFICE USE ONLY) INSPECTOR'S REPORT Licence may be issued for ....
Fee paid ..... Receipt No ..... Receiver of Revenue ..... Date	at the ..... situated at..... ..... *Inspector* Licence No ..... issued, expires ..... 20 .....

Schedule K—Licence to mix and use ammonium nitrate mixture

(Regulation 4.05(a))

A licence is hereby granted to .....
of ..... to mix and use an explosive consisting of ammonium nitrate (or a non-explosive mixture of ammonium nitrate with other substances as detailed in paragraph I hereunder) and carbonaceous or other materials as detailed in paragraph II hereunder, at the .....
operated by the ..... at .....
and shall remain in force until the ..... day of ..... 20 ....., unless previously revoked.

I The non-explosive mixture of ammonium nitrate with other substances shall be a mixture of ammonium nitrate with either (a) Kieselguhr; (b) calcium carbonate; or (c) such other substance as may be approved in writing by the Director.

II The carbonaceous or other materials to be mixed with ammonium nitrate (or a non-explosive mixture of ammonium nitrate with other substances) shall be .....
.....

This licence is granted subject to the condition that the licensee shall strictly comply with all relevant provisions of the *Explosives Act 1936* and the regulations made thereunder.

Dated the ..... day of ..... 20 .....

.....
Director

Schedule L—Table showing quantity of explosive equivalent to 1 000 detonators

(Regulations 7.02(2), 10.09(e) and 11.07)

For the purposes of section 23(2) of the Act and of the Regulations for the carriage and for the storage of explosives, 1 000 detonators shall be taken as equivalent to quantities of explosives shown in the following table, and the equivalents of other numbers of detonators shall be calculated in proportion.

Table showing Quantity of Explosive Equivalent to 1 000 detonators

Size of Detonator	Equivalent of Explosive (kg)	Size of Detonator	Equivalent of Explosive (kg)
No. 3	6	No. 7	13
No. 4	7	No. 8	16
No. 5	8	No. 9	18
No. 6	9	No. 10	20

Schedule M—Application for licence to carry explosives

(Regulation 7.03(b))

1 Full name of applicant *(surname in BLOCK letters)* .....
..... *(Applicant must be the owner of the vehicle concerned)*

2 Occupation .....

3 Address of applicant .....
.....
.....

4 Postal address, if different from above .....
.....

5 Maximum quantity of explosives to be carried at any one time ..... kg

6 Make of vehicle .....

7 Type of vehicle *(car, utility, truck etc)* .....

8 Registration number of vehicle .....

9 Type of engine *(petrol, diesel etc)* .....

10 If the quantity of explosives exceeds 60 kg give the measurements and description of the box *(see Schedule U)* .....

11 If the quantity of explosives exceeds 265 kg state whether the requirements for a suitably constructed vehicle have been met .....
.....

.....
Signature

.....
Date

To: Director Department for Industrial Affairs Box 465, GPO Adelaide, SA 5001	(FOR OFFICE USE ONLY) INSPECTOR'S REPORT Licence may be issued for a maximum of ..... kg
Fee Paid ..... Receipt No ..... Receiver of Revenue ..... Date	..... *Inspector* Licence No .... issued, expires .....

Schedule N—Licence to carry explosives

(Regulation 7.04(3))

A licence is hereby granted to .....
of ..... to convey explosives by land in a quantity not exceeding ..... kg in the undermentioned vehicle owned by the said licensee, subject to the Act and regulations.

Make ..... Type ..... Reg No .....

This licence (unless previously revoked) shall expire on the ..... day of ..... 20 .....

Dated this .....day of ..... 20.....

.....
Director

This licence (and its current renewal certificate) is to be kept in the vehicle concerned.

Schedule O—Permission for ship to enter prohibited area

(Section 31 of Act)

(To be lodged not less than two clear working days prior to expected arrival of ship or loading of explosives)

To the Director of Marine and Harbors:

I/We ..... on behalf of ..... the .....
Master of "....." from .....

having on board / intending to ship / intending to tranship ..... tonne ..... kg of explosives,

hereby request permission for the ship to enter the prohibited area at Port .....
and berth at ..... at ..... a.m./p.m. on the .....
of ..... 20 ..... , for the purpose of

landing / shipping / transhipping / conducting the ship's business whilst retaining on board the explosives specified below:

Owner or Agent of Explosives	Name and Address of Consignee	No of Packages and Description of Explosives	Quantity in each Package	Total Kilograms

I/We undertake that all regulations and directions made under the *Explosives Act 1936* will be observed at the ports of shipment and discharge within the State by the Master of the abovementioned ship.

..... / ..... / 20 .....

.....
Agent for Master

To: The Harbormaster, Port Adelaide and Harbormaster, Port ..... :

The "....." is permitted to enter the prohibited area at Port .....

for the purpose of landing / shipping / transhipping / conducting the ship's business whilst retaining on board the explosives specified above at a place approved by you.

..... / ..... /20 .....

.....
Director

Permit to land, ship or tranship

To the Director:

I hereby request a permit to land / ship / tranship the explosives specified above at Port .....
.....

..... / ..... /20 .....

.....
Agent for Master

Permit granted to land / ship / tranship under the supervision of .....

..... / ..... /20 .....

.....
Director

Returned to the Harbormaster, Port Adelaide:

The explosives specified above were landed / shipped / transhipped / retained on board at .....

on ..... /..... /20.....

.....
Inspector of Explosives
Harbormaster

Port .....

Schedule P—Application for licence for keeping explosives on premises

(Regulation 10.03)

1 Full name of applicant *(surname in BLOCK letters)* .....

2 Occupation .....

3 Address of applicant .....

.....

.....

4 Postal address, if different from above .....

.....

5 Situation of premises. *(If in a town give street and number, if elsewhere give section and hundred, and draw a sketch on the back of this form or on a separate sheet of paper giving sufficient detail for the premises to be located readily.)* .....

.....

		Detonators	Other Explosives
6	Maximum quantity of nitro-compound explosives to be stored	/////////	..... kg
7	Maximum quantity of gunpowder (blasting powder) and small arms nitro-compound to be stored	/////////	..... kg
8	Maximum quantity of any other explosive to be stored *(but not including detonators)*	/////////	..... kg
9	Maximum number of detonators that will be stored	..... of size No	/////////
10	Distance separating the detonators from the other explosives	.....	/////////
11	Are the explosives to be kept in a "RECEPTACLE" as defined on the back hereof *(Applicable only if not more than 30 kg.)*	.....	.....
12	Are the explosives to be kept in a "STORE" as defined on the back hereof *(Applicable for any quantity up to 60 kg.)*	.....	.....
13	If a "RECEPTACLE", state:		
	(a) The purposes for which the building housing it is used.	(a)	(a)
	(b) The materials of which the building is constructed.	(b)	(b)
	(c) The materials of which the receptacle is constructed.	(c)	(c)
	(d) The internal lining of the receptacle and fixing thereof.	(d)	(d)
	(e) The internal measurements of the receptacle.	(e)	(e)
14	If a "STORE", state the materials used for:		
	(a) Walls	(a)	(a)
	(b) Roof	(b)	(b)
	(c) Floor	(c)	(c)
	(d) Ceiling	(d)	(d)
	(e) Wall lining	(e)	(e)
	(f) Door	(f)	(f)
	(g) Locking of door	(g)	(g)
	Is door flush-fitting?		
	Internal measurements.		

15	If a "STORE", is it within or attached to another building	.....	.....
16	If the answer is "YES", is that building used as a dwelling or as living quarters?	.....	.....
17	If a "STORE", is it mounded? If so state nature and height of mound	.....	.....
18	State the use of the nearest protected work of Class I (see definition on back hereof) and its distance from the "RECEPTACLE" or "STORE" ..	.....	.....
19	State the use of the nearest protected work of Class II (see definition on back hereof) and its distance from the "RECEPTACLE" or "STORE" ..	.....	.....
20	Draw a plan on the back of this form or on a separate sheet of paper showing the site of the storage and surrounding buildings, neighbours' premises, roads etc	.....	.....

.....
Signature

.....
Date

To: Director Department for Industrial Affairs Box 465, GPO Adelaide, SA 5001	(FOR OFFICE USE ONLY) INSPECTOR'S REPORT Licence may be issued for a maximum of ..... kg Premises Division ..... *Inspector*
Fee Paid ..... Receipt No ..... Receiver of Revenue ..... Date	Licence No ..... issued, expires .....

Definitions

"store" means a store which is—

(a) exclusively used for keeping explosives;

(b) substantially built of brick, stone, iron, concrete or other approved material or excavated in solid rock, earth or mine refuse not liable to ignition;

(c) so made, closed and locked as to prevent unauthorised persons from having access to the store and to secure it from danger from without; and

(d) situated at protection distances from protected works.

"receptacle" means a receptacle that is—

(a) exclusively appropriated for the keeping of explosives;

(b) substantially constructed of wood or other approved material and has no exposed iron or steel inside;

(c) provided with strong handles;

(d) provided with a closely fitting lid secured by a lock, the hinges and fastenings being constructed of copper, brass or other approved material;

(e) housed so as to prevent unauthorised persons having access to the receptacle and so as to provide protection from damage from fire and other causes; and

(f) situated at protection distances from—

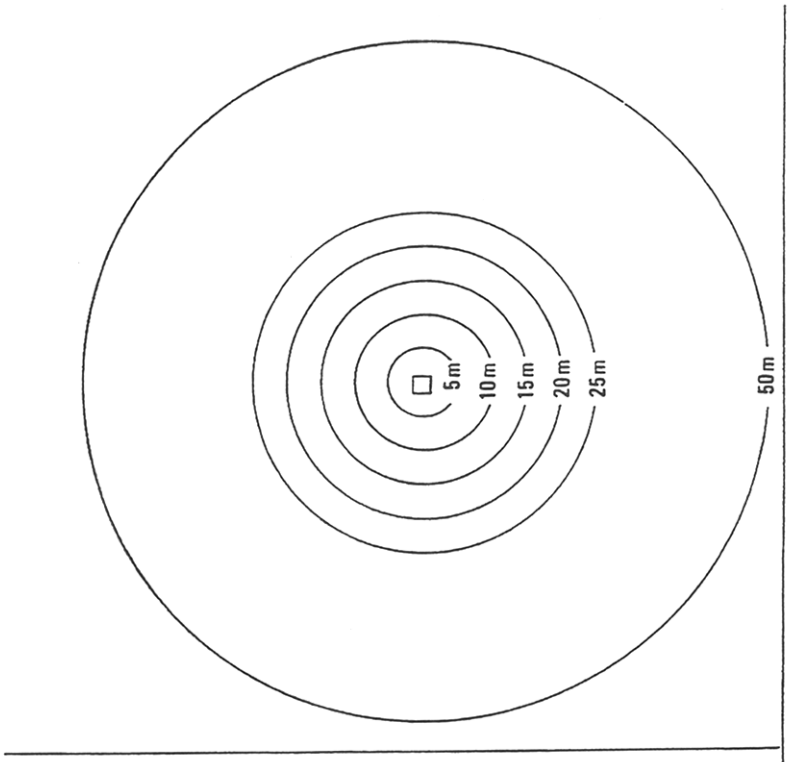
(i) dwellings or shops or other places frequented by the public on the same premises as the receptacle, and

(ii) protected works which are not on the same premises as the receptacle.

"protected work of Class I" means any shop, room, workshop, railway, magazine or store or receptacle for explosives, depot for flammable liquids, furnace, kiln or fire, occupied by or used by the occupier of licensed premises, or if the occupier or user thereof gives his consent in writing to the same being considered as included in the protected works of Class I, and also any highway, street, public road, public thoroughfare, or open place of resort for the public or for persons carrying on any trade or business, and any canal, navigable water, dock, wharf, pier, jetty or reservoir.

"protected work of Class II" means any dwelling, shop, room, workshop, railway, magazine or store or receptacle for explosives, depot for flammable liquids, furnace, kiln or fire, which is not included in protected works of Class I and any factory, church, chapel, university, college, school, hospital, public institution, town hall, court of justice, theatre, covered market, building wherein persons are accustomed to assemble or public building.

IMMEDIATE SURROUNDINGS
(Distance in metres)
(Question 20)



SKETCH MAP SHOWING LOCATION OF PREMISES
(Question 5)

Schedule Q—Licence for keeping explosives on premises

(Regulation 10.05)

A licence is hereby granted to .....
of .....
.....
for the keeping, in accordance with the provisions of the Act and regulations of a quantity of explosives not exceeding ..... kg at premises situated at .....
and qualified to belong to Division .....

This licence (unless previously revoked) shall expire on the ..... day of ..... 20 .....

Dated this ..... day of ..... 20 .....

.....
Director

Schedule R—Application for licence for keeping explosives in magazine

(Regulation 11.02)

1 Full name of applicant *(surname in BLOCK letters)* .....

2 Occupation .....

3 Address of applicant .....

.....

.....

4 Postal address, if different from above .....

.....

5 Situation of magazine Section ..... Hundred of .....

6 Municipal or District Council area in which the magazine is situated .....

7 Address of Town or District Clerk .....

.....

8 Will the issue of a licence for the magazine be contrary to any by-law of the Municipal or District Council? *(A formal letter from the Clerk is necessary as evidence)* .....

9 Maximum quantity of nitro-compound explosives to be stored ..... kg

10 Maximum quantity of gunpowder (blasting powder) to be stored ..... kg

11 Maximum quantity of any other explosive to be stored (but not including detonators) ..... kg

12 Maximum number of detonators that will be stored ..... of size No ..... equivalent to ..... kg explosive *(see Schedule L)*

13 Total quantity of explosives that will be stored .....kg

14 Distance separating detonators from other explosives .....

15 Will the magazine be within any city or town or the suburbs thereof? .....

16 State the distance from the magazine to—

(a) The nearest building or works *(and also state the character and use of this building or works)* .....

(b) The nearest dwelling, shop or public building .....

(c) The nearest public road, railway or tramway .....

(d) The nearest public resort, promenade, jetty, wharf, dock, navigable water, reservoir, water main *(above ground)* .....

Note—Form R1, setting out a full description of the magazine, must also be completed and must accompany this application.

.....
Signature

.....
Date

To: Director Department for Industrial Affairs Box 465, GPO Adelaide, SA 5001	(FOR OFFICE USE ONLY) INSPECTOR'S REPORT Licence may be issued for a maximum of ..... kg ..... *Inspector*
Fee Paid ..... Receipt No ..... Receiver of Revenue ..... Date	Licence No ..... Expires .....

Schedule R1—Details of magazine

(Regulation 11.02)

Description of magazine owned by .....
and situated at .....

1 Precise location of magazine. .....
(Draw plans on the back of this form or on a separate sheet of paper giving sufficient detail to enable the magazine to be readily located and showing situation of buildings, roads etc)

		Main Magazine	Detonator Annex*
2	Internal dimensions	..... x ..... x	..... x ..... x .....
3	Materials used for:		
	(a) Walls	(a)	(a)
	(b) Roof	(b)	(b)
	(c) Floor	(c)	(c)
	(d) Ceiling	(d)	(d)
	(e) Wall lining	(e)	(e)
4	Type of nails, screws etc used to fix linings		
5	Is door flush-fitting?		
6	Material of inside face of door		
7	Material of outside face of door		
8	Type of locking		
9	Material of which hinges, locks etc are made		
10	Does the word EXPLOSIVES legibly appear on the exterior of the door or within one metre thereof?		
11	Dimensions of porch	..... x ..... x	..... x ..... x .....
12	Is the magazine mounded? If so, state nature and height of mound		
13	Is the magazine protected from unauthorised access by a substantial fence and gate?		
14	Are any other buildings or works attached to the magazine?		
15	Is the magazine fitted with a lightning conductor?		
16	List the types of explosives to be kept. *(Draw a floor plan on the back of this form or on a separate sheet of paper to show where the various types will be kept.)*		//////////
17	Is the porch equipped with broom, mat and galoshes?		

*Applicable for detonators kept within 30 metres of the main magazine; otherwise use Schedule P or a separate Schedule R as appropriate.

.....
Signature

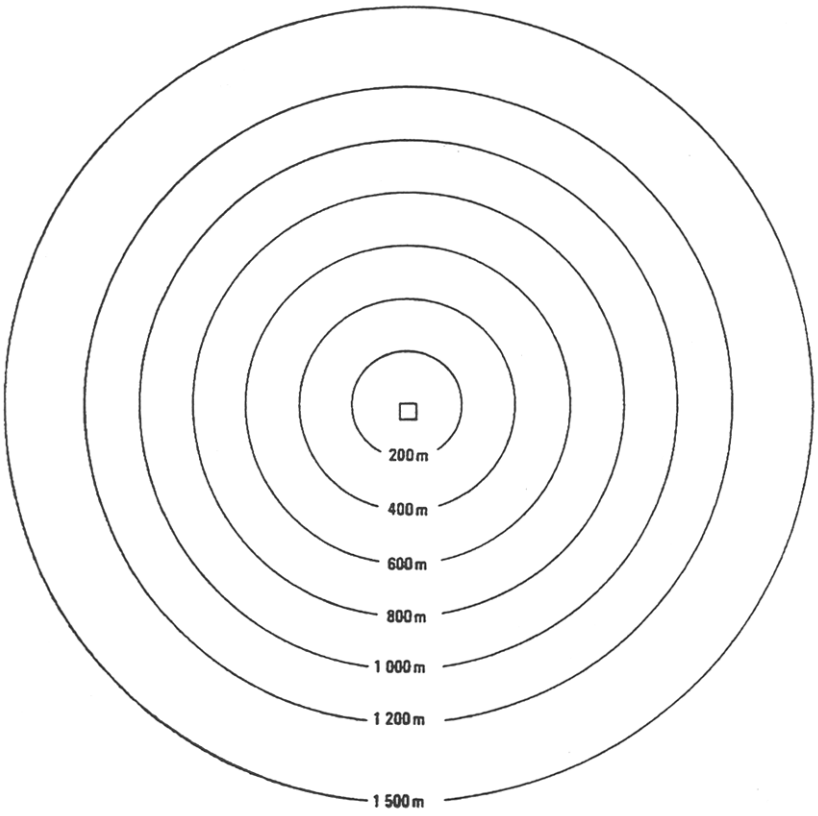
.....
Date

To: Director
Department for Industrial Affairs
Box 465, GPO
Adelaide, SA 5001

SKETCH MAP SHOWING LOCATION OF MAGAZINE
(Question 1)

FLOOR PLAN OF MAGAZINE
(Question 16)

SURROUNDINGS OF MAGAZINE SHOWING DWELLINGS, SHEDS, WORKSHOPS, PUBLIC RESORTS, ROADS, RAILWAYS, DETONATOR STORE, QUARRY WORKINGS, ETC.
(Distance in metres)
(Question 1)



Schedule S—Licence for keeping explosives in magazine

(Regulation 11.04(2))

A licence is hereby granted to .....
of .....
for Magazine situated .....
(quantity to be stored not to exceed ..... kg) provided that the said Magazine is maintained in accordance with the provisions of the Act and regulations.

This licence (unless previously revoked) shall expire on the ..... day of ..... 20.....

Dated this ..... day of .....20.....

.....
Director

Schedule T—Tables of safety distance for magazines

(Regulations 11.01, 11.05, 11.06(a))

In this Schedule, the term ***Inside Safety Distance*** means the distance to be observed between a magazine and other magazines or buildings in the same occupancy not being protected works, and the term ***Outside Safety Distance*** means the distance to be observed between a magazine and a protected work.

The Safety Distance required for buildings containing explosives to achieve the necessary degree of safety depends upon the following three factors:

(a) The type of risk appropriate to the explosive; and

(b) The weight of explosive in the building; and

(c) Whether effective mounds or screens are provided.

In regard to (a) all authorised explosives are given a category by the Director which is dependent on their potential risks. The categories are—

Category X—Explosives having fire or slight explosion risk or both with only local effect.

Category Y—Explosives having mass fire risk, or moderate explosion risk, but not mass explosion risk.

Category Z—Explosives having a mass explosion risk with serious missile effect.

Category ZZ—Explosives having a mass explosion risk with minor missile effect.

In regard to (c), a protected work may be considered mounded if a mound or screen exists such that straight lines drawn from all points of the protected work to all points of the magazine will pass through the mound or screen. A natural hill may serve as a mound or screen.

TABLE OF INSIDE SAFETY DISTANCES

Net Explosives Quantity	To Magazines containing Explosives				To or Between Process Buildings			Net Explosives Quantity
	Mounded or Unmounded		Mounded*		Mounded or Unmounded		Mounded†	
	Category X	Category Y	Category Z	Category ZZ	Category X	Category Y	Category Z or ZZ	
Kilograms	Metres	Metres	Metres	Metres	Metres	Metres	Metres	Kilograms
50	10	10	10	10	12	12	18	50
100	10	10	10	12	12	16	22	100
200	10	10	10	14	12	19	27	200
300	10	10	10	17	12	22	31	300
400	10	11	10	19	12	24	33	400
500	10	13	10	20	12	26	36	500
1 000	10	15	11	25	12	32	57	1 000
1 500	11	16	11	28	16	36	73	1 500
2 000	13	17	12	31	20	40	86	2 000
2 500	14	18	12	33	22	44	97	2 500
3 000	15	19	13	35	23	46	107	3 000
4 000	17	20	13	38	25	51	123	4 000
5 000	18	22	14	41	26	55	135	5 000
7 500	20	25	16	48	27	63	159	7 500
10 000	22	28	17	52	27	69	177	10 000
15 000	24	33	20	59	28	79	205	15 000
20 000	25	38	22	66	28	87	226	20 000
25 000	26	42	25	71	28	94	243	25 000

Net Explosives Quantity	To Magazines containing Explosives				To or Between Process Buildings			Net Explosives Quantity
	Mounded or Unmounded		Mounded*		Mounded or Unmounded		Mounded†	
	Category X	Category Y	Category Z	Category ZZ	Category X	Category Y	Category Z or ZZ	
Kilograms	Metres	Metres	Metres	Metres	Metres	Metres	Metres	Kilograms
30 000	27	45	27	75	28	100	260	30 000
40 000	28	51	30	82	28	109	286	40 000
50 000	28	55	33	89	28	117	308	50 000

***** If approved by an inspector, magazines may be situated not less than twice these distances apart if unmounded.

† Magazines may be situated at twice these distances from small quarry offices and plant if unmounded.

TABLE OF OUTSIDE SAFETY DISTANCES

Net Explosives Quantity	Protected Works								Net Explosives Quantity
	Public street, road or thoroughfare, railway, navigable waterway, dock wharf, pier or jetty; market place, public recreation and sports ground or other open place where the public are accustomed to assemble; open place of work in another occupancy; private road which is a principal means of access to a church, chapel, college, school, hospital or factory; river wall, sea wall, reservoir, water main (above ground).			Dwellinghouse; government and public buildings, church, chapel, college, school, hospital, theatre, cinema or other building or structure where the public are accustomed to assemble; shop, factory, warehouse; store, timber yard or building in which any person is employed (other than small quarry offices and plant in the same occupancy); building or works used for the storage of petroleum products, gas or other flammable substances; buildings or works used for the storage or manufacture of explosives or of articles which contain explosives.				Aerodrome	
	Category X	Category Y	Category Z or ZZ	Category X	Category Y	Category Z or ZZ		Category ZZ or Detonators	
						Mounded	Unmounded		
Kilograms	Metres	Metres	Metres	Metres	Metres	Metres	Metres	Metres	Kilograms
50	8	12	23	16	24	24	183	145	50
100	10	15	23	19	30	33	183	183	100
200	11	19	26	22	38	51	183	230	200
300	13	22	34	26	43	68	183	264	300
400	15	24	42	29	47	82	183	292	400
500	16	26	47	31	51	95	183	320	500
1 000	18	33	75	36	63	150	183	397	1 000
1 500	19	37	96	39	73	191	191	442	1 500
2 000	20	41	114	41	81	226	226	494	2 000
2 500	21	44	129	42	87	257	257	540	2 500
3 000	22	47	142	44	92	284	284	573	3 000
4 000	23	51	164	45	101	327	327	628	4 000

Net Explosives Quantity	Protected Works								Net Explosives Quantity
	Public street, road or thoroughfare, railway, navigable waterway, dock wharf, pier or jetty; market place, public recreation and sports ground or other open place where the public are accustomed to assemble; open place of work in another occupancy; private road which is a principal means of access to a church, chapel, college, school, hospital or factory; river wall, sea wall, reservoir, water main (above ground).			Dwellinghouse; government and public buildings, church, chapel, college, school, hospital, theatre, cinema or other building or structure where the public are accustomed to assemble; shop, factory, warehouse; store, timber yard or building in which any person is employed (other than small quarry offices and plant in the same occupancy); building or works used for the storage of petroleum products, gas or other flammable substances; buildings or works used for the storage or manufacture of explosives or of articles which contain explosives.				Aerodrome	
	Category X	Category Y	Category Z or ZZ	Category X	Category Y	Category Z or ZZ		Category ZZ or Detonators	
						Mounded	Unmounded		
Kilograms	Metres	Metres	Metres	Metres	Metres	Metres	Metres	Metres	Kilograms
5 000	24	55	180	47	108	360	360	677	5 000
7 500	25	63	212	49	125	424	424	772	7 500
10 000	26	69	237	51	138	470	470	853	10 000
15 000	27	79	273	54	158	546	546	982	15 000
20 000	28	87	302	56	171	601	601	1 082	20 000
25 000	29	93	321	58	186	650	650	1 164	25 000
30 000	30	99	342	59	199	689	689	1 235	30 000
40 000	31	109	381	61	218	762	762	1 356	40 000
50 000	32	118	409	62	235	817	817	1 448	50 000
75 000	33	136	470	65	269	940	940	1 676	75 000
100 000	35	148	519	67	295	1 034	1 034	1 829	100 000

Schedule U—Box for carriage of explosives

(Regulations 7.13(3), 7.13(4)(b), 7.13(5), 7.13(6)(b))

A box for the carriage of explosives in a vehicle or a boat shall be—

1 Strongly constructed of tongue and groove timber at least 20 mm thick or of wooden sheets at least 12 mm thick (see sketches below);

2 Sheathed outside with flat galvanised iron;

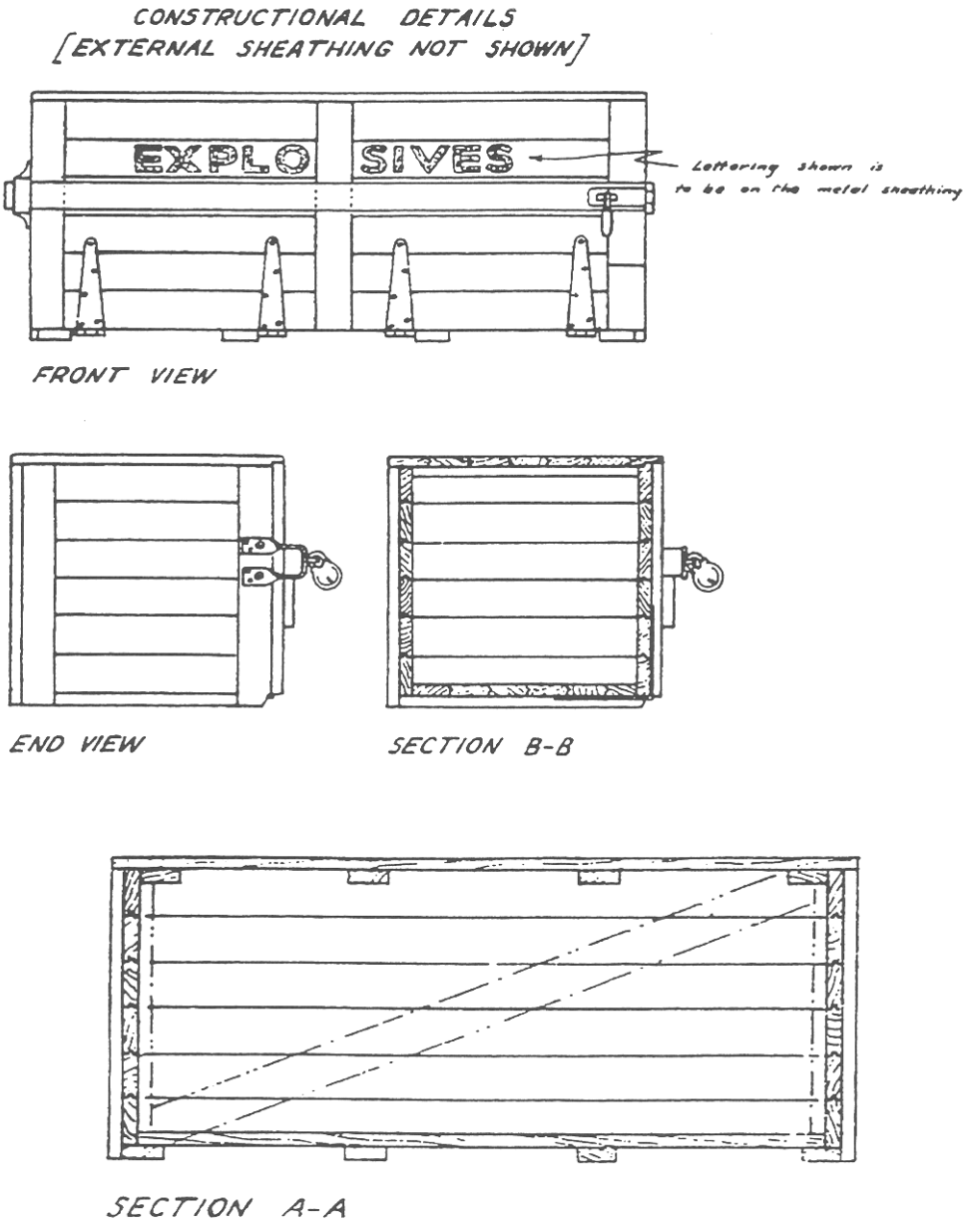
3 Fitted with one or more locks;

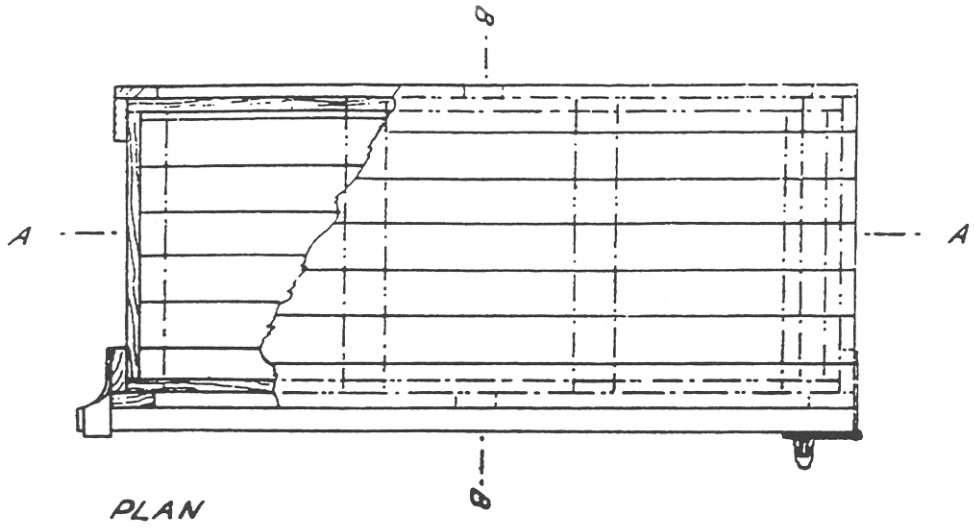
4 Marked with the word "EXPLOSIVES" painted conspicuously in red on a white background;

5 Secured firmly in the vehicle when being used for the carriage of explosives;

6 Fitted with lugs or rings if ropes are to be used to secure it in the vehicle;

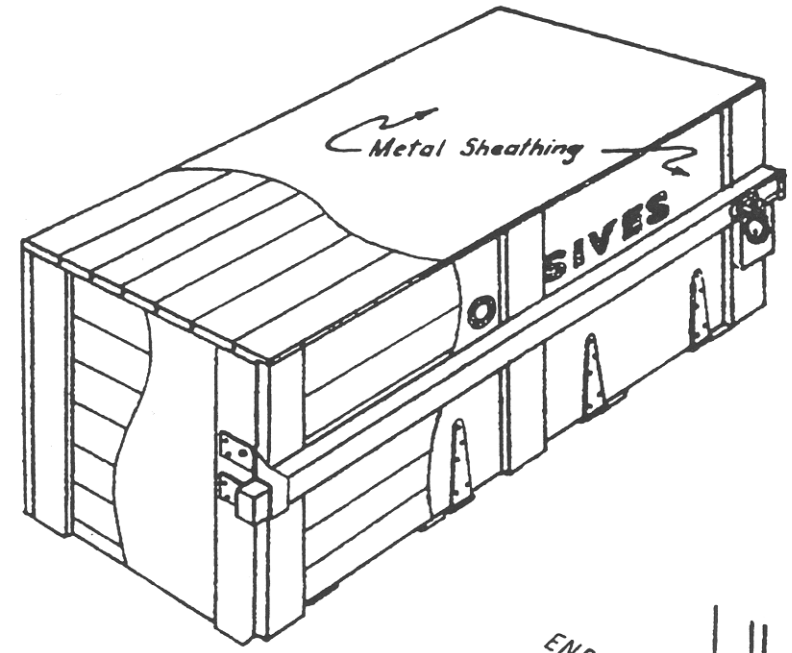
7 Used only for the carriage of explosives.


CONSTRUCTIONAL DETAILS
[EXTERNAL SHEATHING NOT SHOWN]
EXPLO
SIVES
Lettering shown is to be on the metal sheathing
FRONT VIEW
END VIEW
SECTION B-B
SECTION A-A

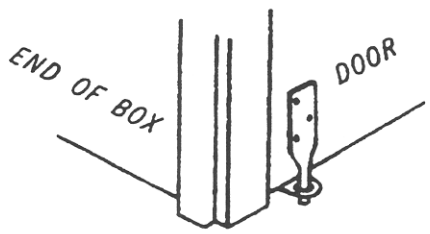


PLAN

BOX FOR CONVEYANCE OF EXPLOSIVES B



PERSPECTIVE VIEW



Instead of using hinges, the door may be held in place by two metal pegs attached to the bottom of the door and fitting into corresponding holes in metal plates fastened to the base of the box as shown above.

Notes—

1 The actual size of the box will depend on the number and size of cases to be conveyed.

2 The box is to be completely covered on the outside with plain galvanised iron or approved non-ferrous metal. Hinges, catches and other fittings to be of approved non-ferrous metal.

3 The interior is to be free from exposed iron or steel. All nails, screws and other fastenings used inside are to be countersunk and puttied over.

4 Door may be a lid instead of on side, if desired.

5 Close stowage to avoid undue movement of cases within the box is essential. If necessary, suitable wooden wedges or other approved means should be used for this purpose.

Schedule V—Fees

(Section 52, regulation 15.09)

1—Classification of explosives (Part 2)

Fee for—

(a)	application for classification of explosive	$152.00
(b)	amendment of classification of explosive	$86.50

2—Licensing of factories (Part 3)

Licence fee for a factory to manufacture explosives	$280.00

3—Licence to mix and use Ammonium Nitrate mixture (Part 4)

Licence to mix and use Ammonium Nitrate mixture of Classification Code 1.1D—

(a)	for 1 place only	$51.50
(b)	for more than 1 place	$131.00

4—Licence to carry explosives (Part 7)

Licence fee for a carrier to carry—

(a)	up to 60 kg of explosives	$32.75
(b)	up to 265 kg of explosives	$51.50
(c)	up to 1 000 kg of explosives	$56.00
(d)	over 1 000 kg of explosives	$164.00

5—Licence to store on premises (Part 10)

Licence fee for storing explosives on premises in which the quantity of explosives to be stored—

(a)	does not exceed 30 kg	$51.50
(b)	exceeds 30 kg but does not exceed 60 kg	$94.00

6—Licensing of magazines (Part 11)

(1) Licence fee for portable magazine in which the quantity of explosive to be stored—

(a)	does not exceed 60 kg	$112.00
(b)	exceeds 60 kg but does not exceed 1 000 kg	$328.00
(c)	exceeds 1 000 kg	$568.00

(2) Licence fee for any other magazine in which the quantity of explosive to be stored—

(a)	does not exceed 1 000 kg	$164.00
(b)	exceeds 1 000 kg	$284.00

7—Licence to import explosives (Part 13)

Licence fee to import explosives—

(a)	of classification code 1.2G, 1.3G, 1.4G or 1.4S	$56.00

(b)	of another classification code	$94.00

8—Inspection or testing of explosives

Fee for—

(a)	examination of fuse	$34.00
(b)	examination of detonator	$34.00
(c)	physical examination of firework or firework composition	$34.00
(d)	liquefaction test	$34.00
(e)	exudation test	$34.00
(f)	heat test	$34.00

Schedule W—Revocation and transitional provisions

1—Revocation of *Explosives Regulations 1996*

The *Explosives Regulations 1996* are revoked.

2—Transitional provision

A licence or permit in force under a provision of the *Explosives Regulations 1996* immediately before the commencement of this clause will be taken to be a licence or permit in force under the corresponding provision of these regulations.

Legislative history

Notes

- Variations of this version that are uncommenced are not incorporated into the text.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2011	208	*Gazette 25.8.2011 p3719*	1.9.2011: r 2
2012	131	*Gazette 31.5.2012 p2486*	1.7.2012: r 2