
CHAPTER 215**EXPLOSIVES**

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CHAPTER 215

EXPLOSIVES

An Act to consolidate and amend the law relating to the manufacture, importation, sale, storage, use and disposal of explosives and matters incidental thereto. *17 of 1968
E.L.A.O., 1974*

[Assent 4th July, 1968]

[Commencement 1st January, 1976]

1. This Act may be cited as the Explosives Act. Short title.
2. In this Act, unless the context otherwise requires — Interpretation.
“explosives” means —

- (a) gunpowder, nitroglycerine, dynamite, guncotton, blasting powders, fulminate of mercury or of other metals, coloured fires, and every other substance which is used or manufactured with a view to producing a practical effect by explosion or a pyrotechnic effect;
- (b) any fuse, rocket, detonator, cartridge and every adaptation or preparation of any explosive as herein defined;
- (c) any other substance which the Minister may from time to time by notice published in the *Gazette* declare to be an explosive;

“Inspector” means an Inspector of Explosives appointed under the provisions of section 3 of this Act;

“Minister” means the Minister responsible for Explosives and Volatile Substances; *E.L.A.O., 1974*

“regulations” means regulations made under section 6 of this Act.

3. The Minister may from time to time designate one or more — Inspectors of
Explosives.
E.L.A.O., 1974
 - (a) Administrators; or
 - (b) members of The Royal Bahamas Police Force of and above the rank of inspector; or
 - (c) engineers who are public officers,

to be Inspectors of Explosives for the purpose of issuing or granting licences, certificates, permits and permission required by any regulations and generally for carrying out and supervising the carrying out of this Act and the regulations.

Importation of explosives without permit prohibited.

4. (1) No person shall import into The Bahamas any explosives except under and in accordance with the terms of a valid permit previously issued by the Commissioner of Police.

(2) Application for a permit to import explosives shall be made in the manner prescribed by the regulations.

(3) Any person who contravenes the provisions of subsection (1) of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

Restriction on conveyance of explosives.

5. (1) No person shall convey or allow any other person subject to his direction, orders or supervision to convey any explosives whether by land or sea within The Bahamas except in accordance with the provisions of the regulations.

(2) Unless the Commissioner of Police in any particular case otherwise directs, any person who imports explosives into The Bahamas shall ensure that such explosives are forthwith conveyed to a magazine or to their proper destination under the charge or supervision of a person authorised by the regulations.

(3) Any person who contravenes the provisions of this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding three months or to both such fine and imprisonment.

Power to make regulations.

6. The Minister may make regulations for carrying into effect the provisions of this Act and, in particular and without prejudice to the generality of the foregoing —

- (a) providing for the appointment of officers for the purpose of carrying out, and supervising the carrying out, of the provisions of this Act and of the regulations;
- (b) regulating the transport and storage of explosives;

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- (c) regulating the sale of and dealing in explosives;
 - (d) prohibiting the introduction of explosives into any specified areas;
 - (e) prohibiting or regulating the manufacture of explosives;
 - (f) regulating the use of explosives and the amount of explosives to be kept in any store;
 - (g) regulating the disposal of explosives;
 - (h) prescribing storage charges and the fee to be paid for any licence or permit issued or examination or inspection made under or in pursuance of the regulations;
 - (i) providing for the seizure and forfeiture of any explosives in respect of which any offence against the regulations has been committed;
 - (j) providing for the issue, suspension or cancellation of blasting licences and permits; and
 - (k) providing for the punishment of any person who contravenes any of the provisions of the regulations, or of any order, or the terms, requirements or conditions of any licence, permit or authority, lawfully issued under the provisions of this Act or of such regulations:

Provided that no such punishment shall exceed a fine of five hundred dollars, imprisonment for three months or both such fine and imprisonment.

7. Any person convicted of an offence against the regulations who holds a licence or permit issued in pursuance of the regulations shall be liable, in addition to any other punishment, to cancellation of his licence or permit or to suspension thereof for such period as the court dealing with the offence thinks fit.

Forfeiture of licence or permit.

8. (1) Any person who negligently causes an explosion whereby any person is killed or injured, or the life of any person is endangered or whereby any property is endangered, damaged or destroyed, shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding seven hundred and fifty dollars, or to imprisonment for a term not exceeding six months.

Penalty for causing explosion.

(2) Nothing in this section contained shall be construed as exempting any person from being charged and punished under the common law or any other law in respect of any act as is described in this section:

Provided that no person shall be liable to be punished twice for the same criminal act.

Obstructing or
resisting
Inspector.

9. Any person who wilfully obstructs, resists or molests an Inspector or any other person duly authorized by any provisions of the regulations in the performance of any of his duties under this Act or the regulations shall be guilty of an offence and liable on summary conviction to a fine not exceeding five hundred dollars or to imprisonment for a period not exceeding three months or to both such fine and imprisonment.