

CHAPTER 235.

EXPLOSIVES.*

EXPLOSIVES (PROTECTORATE) ORDER*made by the Governor in Council under section 1.*O. in C.
16 of 1929.

1. This Order may be cited as the Explosives (Protectorate) Order in Council. Citation.

2. Sections 2 to 10 (inclusive) 15 and 17 of the Explosives Ordinance shall apply to the Protectorate. Application to Protectorate.

EXPLOSIVES RULES.*made by the Governor in Council under section 17.*

Rules.
13 of 1929.
11 of 1930.
P.N.
13 of 1946.
108 of 1949.
Citation.

1. These rules may be cited as the Explosives Rules.

2. In these rules unless the context otherwise requires—

“carriage” includes cart, truck or other vehicle capable of being used on ordinary roads or paths;

“explosives in bulk” means any quantity of explosives exceeding five hundred pounds in weight;

“magazine” means a mine magazine;

“prescribed officer” means—

(a) in rules 15 and 25 the Comptroller of Customs;

(b) in rules 29 to 33, 39, 51 and 61 the Chief Inspector of Mines, and

(c) in rules 43 and 47 any Inspector of Mines.

Interpretation.

SHIPPING AND UNSHIPPING, ETC.

3. No ship containing explosives shall bring to, or moor, except at such part of the place of importation as may be directed by the Harbour Master, and no explosives shall be unloaded, landed or transhipped from any ship or boat except with the permission of the Comptroller of Customs, and in the presence of an Officer of Customs.

Mooring of ships containing explosives.
Unloading landing and transhipping of explosives.

* All the subsidiary legislation printed here under this Chapter 235 will cease to operate when the new Explosives Ordinance, 1955, comes into force, because the latter repeals the present Ordinance (Cap. 235) without saving its subsidiary legislation.

Red flag and light.

4. All ships being within the waters of Sierra Leone shall, whilst loading or discharging explosives keep flying flag B of the International Code of Signals, and shall also keep hoisted at the foremast head, between the hours of 6 a.m. and 6 p.m., a red flag, and, between the hours of 6 p.m. and 6 a.m., a red light, plainly visible at a distance of at least two miles, to denote that explosives are on board.

Supervision.

5. During the whole time that explosives are being shipped or unshipped by any ship, there shall be present an officer of such ship, specially charged with the supervision of such shipping or unshipping.

Tackle.

6. The officer charged with the supervision of the shipping or unshipping of explosives shall, immediately before such shipping or unshipping cause any crane, sling or other tackle by which any package containing explosives is to be hoisted to be tested and proved to be in order. All slings used shall be made of canvas or net.

Lawful hours.

7. The shipping, unshipping, landing and conveying of explosives shall in no case be carried out except between the hours of sunrise and sunset and, save with the permission of the Comptroller of Customs, shall be carried out only on weekdays between the hours 8 a.m. and 4 p.m.

When unshipping deemed complete.

8. Unshipping shall be deemed to have been completed when the explosives have been deposited in any boat or other vessel for conveyance to the shore.

Liability of ship master.

9. The master of every ship shall be liable for any breach of the foregoing rules numbered 4, 5 and 6, and also for any breach of rule 7 so far as regards shipping and unshipping.

CONVEYANCE TO OR FROM SHORE.

Red flag and light.

10. Every boat or other vessel carrying explosives shall keep hoisted in the bows, between the hours of 6 a.m. and 6 p.m., a red flag, and between the hours of 6 p.m. and 6 a.m., a red light, plainly visible at a distance of at least two miles, to denote that explosives are on board. No cargo or goods other than such explosives, nor any passenger or person other than the crew, shall be taken on board such boat or vessel.

No other goods or passengers to be carried.

11. If the explosives are not effectually protected from accident by fire from without, by being conveyed in the hold of a boat, or other vessel having a deck securely closed, then the explosives shall be completely covered with painted cloth, tarpaulin, wadmill tilts, or other suitable material, so as to protect them as effectually as possible against such accident.

Explosives
to be covered.

12. Every boat or other vessel engaged in conveying explosives to or from shore shall be navigated with due diligence, and brought without unnecessary delay to the authorised place for landing, or to the ship, as the case may be. No other boat or vessel shall be permitted to come alongside such place or ship. No boat or vessel conveying explosives shall be taken alongside any other boat or vessel.

Rules for
navigation to
and from
shore, etc.

13. In any boat or vessel conveying explosives which are liable to be dangerously affected by moisture, special precautions shall be taken to prevent such explosives from coming in contact with water, including the enveloping of the packages in additional waterproof coverings.

Precautions
against
moisture.

PUTTING ON OR OFF SHORE.

14. All explosives imported into Sierra Leone shall be landed at Government Wharf, Freetown, or at Magazine Wharf, Freetown.

Place of
landing.

15. Explosives shall not be put into boats or other vessels at the places appointed or used for the loading of ordinary cargo, except by the written permission of the prescribed officer.

Prohibition
with regard
to places
at which
explosives
may be put
into boats.

16. Explosives shall not be landed at any wharf, quay, jetty or landing stage until the vehicle or persons to transport the same to their proper destination shall be at the place in readiness to receive the same. When the landing of explosives has been commenced, such landing shall proceed with due diligence.

Landing not
to proceed
until trans-
port ready.

17. During the whole time that explosives are being landed there shall be present at the place of landing a representative of the landing contractor, specially charged with the supervision of such landing.

Supervision.

18. During the whole time that explosives are being landed a red flag shall be displayed at the place of landing.

Red flag at
landing.

STORAGE IN AND WITHDRAWAL FROM PUBLIC WAREHOUSE.

Places of
storage for
explosives.

19. The following magazine and warehouses shall be the appointed public warehouses for explosives—

I. For Gunpowder:

the Government Powder Magazine, Freetown.

II. For other explosives:

(a) the Explosive Warehouse in the Government Powder Magazine compound, Freetown; and

(b) the Arms and Ammunition Warehouse on the Government Wharf, Freetown.

Imported
explosives
to be con-
veyed to
appointed
public ware-
house.

20. All explosives landed from any ship arriving in the Colony, except such as are consigned to the Imperial or Colonial Government, shall forthwith be conveyed by the importer, the landing contractor, agent or consignee of the importing ship to the appointed public warehouse, and stored therein in the manner directed by the officer in charge of such warehouse:

Provided that the Comptroller of Customs may grant permission to importers or their agents to take direct delivery from the importing ship, of explosives, for conveyance to an approved destination.

Time of
storage and
withdrawal.

21. The deposit or storage of explosives in, and the withdrawal of the same from, a public warehouse shall in no case be carried out except between the hours of sunrise and sunset, and, save with the permission of the Comptroller of Customs, shall be carried out only on weekdays between the hours of 8 a.m. and 4 p.m.

Power of
Comptroller
to destroy
insecure
explosives.

22. The Comptroller of Customs shall have the power to destroy, sell or otherwise dispose of, any explosives which remain in any public warehouse in an insecure condition for a period exceeding one month from the date on which notice of the condition of any damaged packages was given to the importer or other person in whose name the packages were bonded.

CONVEYANCE FROM PUBLIC WAREHOUSE.

Protection
against fire.

23. If any explosives which have been withdrawn from a public warehouse are not effectually protected from accident by fire from without, by being conveyed in the interior of a carriage which is enclosed on all sides with wood or metal, they shall be completely covered with painted cloth, tarpaulin, wadmilt tilts,

or other suitable material, so as to effectually protect the explosives against fire.

24. (1) The conveyance of explosives between a public warehouse and their proper destination shall proceed with due diligence. Conveyance inland.

(2) No explosives shall be kept in any building used at the same time as a dwelling place. At resting places on overland journeys, explosives shall be placed on the outskirts of towns and villages, and at a reasonable distance from any dwelling place.

(3) Carriers bearing explosives shall not proceed along the track of any railway, nor shall they be allowed within twenty yards of any such track, except when crossing the same by any recognised path or road, or when carrying the explosives to a railway station for despatch by train: Conveyance near railways.

Provided that this provision shall not apply to railway lines under construction, and not yet declared to be "open lines".

CONVEYANCE BY INLAND NAVIGATION.

25. Explosives shall not be shipped, or water-borne to be shipped, for conveyance by inland navigation, or brought for these purposes to any wharf, quay, jetty, or other place, without the previous written permission of the prescribed officer, who may, in granting permission, impose such special conditions for the general safety as he may think fit. Permission required.

26. When explosives are being shipped for conveyance by inland navigation, the same precautions shall be observed as are provided in rules 4 to 7 and 10 to 13 for the shipping and unshipping of explosives and the conveying of them to and from the shore, and the provisions of rule 9 shall apply. Precautions in shipping.

27. Where explosives are conveyed by inland navigation in any boat, canoe or other vessel not being an ocean-going ship, the same precautions shall be observed as are provided in rules 10 to 13 for the conveyance of explosives between ship and shore. Precautions in transit.

28. The putting on shore of explosives conveyed along a river shall be subject to rule 16. Precautions in landing.