

**Order Relating to the Sale and  
Possession of Dynamite**

**EXPLOSIVES (SALE OF DYNAMITE) ORDER, 1928**

1928 p. 36.

1984/21.

**Authority:** This order was made on 2nd February, 1928 by the Governor-in-Executive Committee under section 8 of the *Merchant Gunpowder Act, 1890-15* now *Explosives Act*. Vol. 1935-36  
p. 16.  
Cap. 162.

**Governor-in-Executive Committee:** This power is now vested in the Minister.

**Commencement:** 2nd February, 1928.

1. This Order may be cited as the *Explosives (Sale of Dynamite) Order, 1928*. Short title.

2. For the purposes of this Order, "dynamite" includes chlorate of potash mixed with any substance which renders it explosive, and percussion caps or detonators.

3. (1) The Commissioner of Police may in his discretion on the application of any trader or keeper of a store issue to the applicant a permit to be in possession of and to sell dynamite on the premises mentioned in the permit and such permit shall not in any case be for more than one year from the date of the issue thereof and may be renewed from time to time. Permit to sell.

(2) Such application shall be accompanied by a true and correct statement of all dynamite then in the possession of the applicant. If any such statement is untrue or incorrect the applicant shall be guilty of an offence.

(3) It shall not be lawful for any person not being the holder of a permit granted under the provisions of this paragraph to sell dynamite.

4. (1) Permits to purchase or to be in possession of or have the control of dynamite may be issued by the Commissioner of Police subject to such conditions as may from time to time be prescribed by the Minister. Such permits shall specify the quantity of dynamite which the holder may purchase or have in his possession or under his control. Permit to purchase.

(2) Any person who shall purchase or have in his possession or under his control any dynamite without having obtained such permit shall be guilty of an offence.

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(3) The provisions of this section shall not apply to a servant of a holder of a permit who has in his possession or under his control any dynamite received in the course of his employment.

Sale.

5. It shall not be lawful for any person to sell or dispose of dynamite to any person unless such person shall have and produce a permit as provided in paragraph 4.

Carriers.

6. (1) Notwithstanding anything contained in paragraph (4) hereof it shall be lawful for a carrier to be in possession of dynamite delivered to him by the holder of a permit to sell for delivery to the holder of a permit to purchase.

(2) A carrier shall not take delivery of any dynamite without a document signed by the vendor stating the person to whom such dynamite is to be delivered.

(3) The document aforesaid shall be produced by the carrier at the request of any member of the Police Force.

(4) Any carrier who receives dynamite without at the same time receiving the document aforesaid or who shall not produce such document for inspection at the request of a member of the Police Force shall be guilty of an offence.

Sales Book.

7. (1) Every person who has obtained a permit to sell dynamite shall keep a book in the form contained in the Schedule to this Order in which he shall make or cause to be made an entry of all dynamite on his premises at the time of his application for a permit and shall immediately on the receipt of any dynamite make or cause to be made an entry thereof and shall immediately on the sale of any of it make or cause to be made, an entry of the quantity sold, the date of such sale, the name and address of the purchaser, and the number of the permit produced by the purchaser, and shall endorse on the permit particulars of the sale.

(2) Such book shall be produced for inspection at the request of a member of the Police Force and also all dynamite in the possession of a holder of a permit.

(3) Any person who fails to make any entry required to be made in the book aforesaid or who fails to endorse a permit with the particulars of sale or who hinders or refuses to allow the inspection aforesaid or who knowingly makes or causes to be

made a false entry of statement in the book or on the permit aforesaid shall be guilty of an offence.

8. It shall be lawful for any member of the Police Force upon a warrant under the hand of a magistrate to enter and search the premises of any person suspected of selling or possessing or having under his control any dynamite otherwise than in accordance with the provisions of this Order and to enter and search any place, vessel, boat or conveyance in which there shall be reasonable cause to suspect that dynamite is concealed or placed contrary to the provisions of this Order. If upon any search any dynamite is found, it may be seized and forfeited to the Crown, but such forfeiture shall not exempt any person offending against any of the provisions of this Order from other penalties to which he may be subject thereunder. Search.

SCHEDULE

*(Paragraph 7)*

Quantity of dynamite in possession of applicant for permit under paragraph 3.	Dynamite received.	Date.	Quantity of dynamite sold.	Date of Sale.	Name and Address of Purchaser.	No. of permit produced by Purchaser.
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