

**STATES OF JERSEY  
HOME AFFAIRS COMMITTEE**

**EXPLOSIVES  
CODE OF REQUIREMENT**

2<sup>ND</sup> EDITION  
MARCH 1979

Prepared in pursuance of Article 16 of the Explosives (Jersey) Law, 1970, as amended.

STATES OF JERSEY HOME AFFAIRS COMMITTEE  
CODE OF REQUIREMENTS RELATING TO THE EXPLOSIVES (JERSEY) LAW, 1970,  
AS AMENDED.

2<sup>ND</sup> EDITION

AMENDED DECEMBER, 1980.

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**2<sup>ND</sup> EDITION**

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**2<sup>ND</sup> EDITION**

INTRODUCTION

- I. The Home Affairs Committee is the administrative authority in all matters relating to explosive materials where the safety of the public and the interest of the community as a whole are concerned. By virtue of the Explosives (Jersey) Law, 1970, as amended, it is the responsibility of the Committee to define and specify the conditions regulating the importation, manufacture, storage, use, conveyance, sale, purchase, transfer, acquisition and possession of explosives.
- II. This Code of Requirements should be read in conjunction with the Explosives (Safety Provisions) (Jersey) Regulations, 1972, and its associated guide, as administered by the Employment and Social Security Committee. These Regulations deal specifically with the safeguarding of workers in quarries, on building sites and on works of engineering construction where explosives are used for blasting and demolition purposes. Again in respect of the control of explosives when they are carried in ships, discharged from ships or re-shipped, reference should be made to the appropriate harbour regulations where specific safety requirements are listed.
- III. The Explosives Law as amended requires the Home Affairs Committee to prescribe by Order certain matters including the definition of the word 'explosives' and the amount which shall be payable as fees on the grant or renewal of specified licences. These details are set out in the Explosives (General Provisions) (Jersey) Order, 1972, as amended. Again in relation to this Order it should be noted that it originally specified the conditions under which explosives could be conveyed by road, however, for flexibility purposes, and

in the interest of public safety, these requirements are now included as licensing conditions under Article 6 of the Law as amended.

IV. The Code of Requirements has been written in amplification of the Explosives Law as a guide to be adhered to by the Explosives Licensing Officer and other officials appointed by the Home Affairs Committee and also by those persons and concerns, authorised under licence, to be concerned with explosive materials as initially recorded in the Defence Committee Act No. 3 or 5 of 13<sup>th</sup> June, 1972. The recommendations contained in the Code are intended for guidance under normal conditions which are capable of straightforward interpretation. Where abnormal circumstances are met, these should be brought to the immediate notice of the Explosives Licensing Officer and, if possible, special precautions taken to meet the situation without prejudicing the basic principles of safety.

V. The Code is based in the main on information taken from the H.M. Stationary Office publication entitled Guide to the Explosives Acts, 1875 and 1923, reprinted in 1962 and from various handbooks on explosives issued in recent years by the Explosives Division of the Imperial Chemical Industries Limited. The classification of explosives as set out in Part I of the Code is taken from the H.M. Stationary Office publication entitled List of Authorised Explosives which is now issued by the H.M. Explosives Inspectorate of the Health and Safety Executive.

VI. Folders containing copies of the documents referred to in the Code are maintained and kept up to date by the Explosives Licensing Officer.

**PART 1 – LICENSING OF IMPORTATION, TRANSFER, MAGAZINE STORAGE  
AND USE OF EXPLOSIVES.**

**Importation of Explosives**

- 1.1 A licence to import specific quantities of explosives materials will be issued by the Home Affairs Committee to nominated persons, providing such persons adhere to the conditions attached to the licence.
- 1.2 Import licences will be issued under the following categories:

<b><u>Category</u></b>	<b><u>General Description</u></b>	<b><u>Explosive Classification</u></b>
I	Explosives	Class 1 – Gunpowder Class 2 – Nitrate Mixture Class 3 – Nitro Compound Class 4 – Chlorate Mixture Class 5 – Fulminate Class 6 – Ammunition, including safety and ignitor fuses and detonators.
II	Fireworks	Class 7 - Fireworks

- 1.3 The control and sale of manufactured small arms ammunition (as a Class 6 of Explosive) including rifle and pistol cartridges are provided for separately under the Firearms (Jersey) Law, 2000, and are administered jointly by the Home Affairs Committee and the Constables of the Parishes in consultation with the Chief Officer of the States of Jersey Police.

- 1.4 The importation, storage and sale of fireworks are administered jointly by the Home Affairs Committee and the Constables of the Parishes in consultation with the Chief Officer of the States of Jersey Fire & Rescue Service. In this connection it should be noted that in the list of authorised explosives, the term ‘manufactured fireworks’ is defined as any explosive material enclosed in a case or otherwise manufactured so as to form an article specially adapted for the production of pyrotechnic effects or pyrotechnic signals or sound signals.
- 1.5 Import licences for explosives will be granted for one importation only, the applicant must satisfy the Home Affairs Committee through the Explosives Licensing Officer that the explosives are required for a legitimate and bona fide use and that adequate and appropriate storage space is available to house the consignment of explosives to be imported. At the same time the Explosives Licensing Officer will consult with the Harbour Master to ensure that adequate arrangements will be made in relation to the discharge of the explosives to be imported having regard to the safety requirements set out in the appropriate harbour regulations.
- 1.6 A licence for the importation of explosives shall be in the specimen form set out at Appendix A and must be in the hands of the importer before the explosives are ordered. (See Defence Committee Act No. 12 of 15<sup>th</sup> November 1973). Particulars to be furnished by a person who wishes to apply for a licence to import explosives are set out at Appendix B. An application for a licence will be forwarded to the Explosives Licensing Officer. Copies of the import licence will be forwarded by that official to the Chief Agent of the Impôts and to the Harbour Master for consignment clearance and record purposes. No fee will be payable for an import licence.
- 1.7 Consignments of explosives will normally be imported or re-shipped at St Helier Harbour under Home Affairs Committee authority. In this connection the Chief Agent

of the Impôts will draw the attention of the Explosives Licensing Officer to any unlicensed or irregular consignments of explosives which are shipped to the Island and will request disposal or other instructions from that official.

- 1.8 Persons in receipt of an import licence for explosives will maintain a register showing details of the various items taken on charge and also of transfer or sales to persons who are in possession of a current magazine, storage and use licence or a transfer and use licence.

**Restriction on the Transfer, Sale and Use of Explosives.**

- 1.9 The transfer or sale of Category I explosives is prohibited except to those persons in possession of a current transfer and use licence or a magazine storage and use licence as issued by the Home Affairs Committee. The importer or dealer in explosives must ensure that the appropriate documents are held by the purchaser or transferee before supplying the explosive materials.
- 1.10 The essential consideration involved in the issuing of a transfer and use licence for explosives is that the person or firm to whom it is granted must be, in the opinion of the Home Affairs Committee, a fit person or firm to keep and use the explosives in question and will take such precautions as will afford all necessary security for public safety. It is intended that the issue of this type of licence will prevent unsuitable persons having access to explosive materials.
- 1.11 A transfer and use licence for explosives shall be in the specimen form set out at Appendix C and shall be subject to the conditions attached thereto. Particulars to be furnished by a person who wishes to apply for a licence to transfer explosives are set out at Appendix D. An application for a licence will be forwarded to the Explosives Licensing Officer. A fee will be payable for a transfer and use licence.

**Magazine Storage and Use Licensing**

- 1.12 Except for private use where a maximum of 4 kg of small arms propellant only may be kept, all other storage accommodation for explosives must be licensed by the Home Affairs Committee. Before licensing or renewing the licence, the Home Affairs Committee will satisfy itself through the Explosives Licensing Officer that the magazine conforms to the minimum safety requirements as to site and construction. The licence will be subject to the conditions attached thereto including specified limitations as to the use of the explosives at any given location under Article 4A of the Explosives Law.
- 1.13 Details of the various types of magazines, together with the quantities of explosives allowed in each type, are set out in Part 2 of this Code.
- 1.14 As the magazine storage and use licence includes the conditions and the maximum quantities of explosives to be kept in a magazine the need to supply a transfer and use licence to the occupier of a licensed magazine store is unnecessary.
- 1.15 Persons in receipt of a magazine store and use licence will maintain a register showing details of the various items taken on charge into the magazine and details of issues to employees and sales or transfers to persons in possession of a current transfer and use licence as issued by the Home Affairs Committee. The register will be made available for inspection by the Explosives Licensing Officer at any reasonable time. Within every period of four weeks a stock check of all explosive materials held on charge in a magazine store will be carried out at managerial level in order to ensure that the licensing conditions are being adhered to.
- 1.16 In general terms a magazine and use licence shall be in the specimen form set out in Appendix E. A fee will be payable for this licence. It will be valid for one year only ending 31<sup>st</sup> December. All payments will be made to the Treasurer of the States. The

initial and renewal applications will be made to the Explosives Licensing Officer and will include the particulars set out at Appendix F.

### **Restrictions on the Manufacture of Explosives**

- 1.17 For the purpose of this Code the manufacture of explosives is defined as the process of mixing two or more substances to form an explosive compound. This manufacture of explosives, including fireworks and pyrotechnics, is prohibited except in accordance with a special licence granted by the Home Affairs Committee under Article 3 of the Law.
- 1.18 An exemption will be granted under Article 13 of the Explosives Law in respect of laboratory experiments on the condition that the Education, Sport and Culture Department, at the schools and educational establishments where chemistry is taught and where laboratory experiments are performed as part of the training syllabus, undertake to ensure that reasonable and adequate precautions are taken, to safeguard life and property, and to keep in a secure place materials which might cause an explosion (See Defence Committee Act No. 5 of 13<sup>th</sup> June, 1972).
- 1.19 Guidance and instructions regarding the preparation of explosive charges and the operation of workshops are set out at Appendix G.

### **Licensing Conditions in General**

- 1.20 Before issuing an explosives licence the applicant must produce a certificate of insurance covering loss, injury or damage to third parties or to properties with a minimum indemnity stipulated by the Home Affairs Committee for the storage, conveyance and use of explosives. (See Defence Committee Acts No. 5 of 16<sup>th</sup> August, 1973, No. 23 of 11<sup>th</sup> December, 1975 and No. 7 of 21<sup>st</sup> April, 1977).

- 1.21 For security and safety reasons there will be no transfer out of the Island of any explosives in the possession of a licence holder except with the written consent of the Committee (See Defence Committee Act No. 26 of 21<sup>st</sup> November, 1974).
- 1.22 The responsibility for ensuring that the licensing conditions are adhered to will be limited to officials nominated as appropriate persons while the control of all work connected with the handling, conveyance and use of explosives at the magazine site and during blasting operations shall be limited to persons nominated by the licence applicant/holder and be approved by the Home Affairs Committee as shot firers while they are employed as such (See Defence Committee Act No. 3 of 15<sup>th</sup> August, 1974). It will be the responsibility of the licence holder to inform the Home Affairs Committee when a nominated person is no longer employed as a shot firer.
- 1.23 Under the Explosives (Safety Provisions) (Jersey) Regulations, 1972, in order to be appointed as a shot firer the prospective shot firer must be over 21 years old and he must be a competent person who has been trained in all matters connected with the preparation, placement and firing of explosive charges and at the same time competent to implement the laid down safety precautions as specified in the appropriate explosives licence and in the Explosives (Safety Provisions) (Jersey) Regulations, 1972, as administered by the Employment and Social Security Committee.

#### **Licences Not Transferable**

- 1.24 Import, transfer, magazine storage, conveyance by road and use licences are made out in the name of a company or a person. They are not transferable between companies or between individual persons.

#### **Right to Request Hearing and Appeal against Notice of Refusal or Cancellation of Licensing Conditions**

1.25 Under Article 10 of the Law the Home Affairs Committee or a Constable of a Parish as in the case may be shall not refuse, attach any additional conditions or cancel a licence unless the applicant or holder of the licence has been given seven days notice. At the same time he must be afforded an opportunity of being heard by the Committee or the Constable. Any person aggrieved by the findings of the Committee or the Constable may appeal to the Royal Court under Article 11 of the Law. In addition it should be noted that under Article 4A of the Law any prohibition or restriction made by the Home Affairs Committee as a licensing condition shall take effect and remain in force until the hearing or appeal is abandoned or determined by the Royal Court.

## **PART 2 – STORAGE OF EXPLOSIVES IN MAGAZINES AND FOR PRIVATE USE**

### **General**

2.1 Apart from the person who may acquire small arms propellant not exceeding 4 kg in weight for private use without restriction all other users of explosives must provide suitable magazine accommodation which has been inspected by the Explosives Licensing Officer and licensed by the Home Affairs Committee to hold specified types and quantities of explosive materials.

### **Types of Storage**

2.2 For classification purposes the storage of explosives falls into the following types:-

<b>Magazine Description</b>	<b>Maximum quantity of Explosives</b>
Type A	4.5 kg mixed explosives including detonators.
Type B	25 kg mixed explosives including detonators.
Type C	75 kg mixed explosives including detonators.
Type D	125 kg mixed explosives including detonators.
Type E	450 kg mixed explosives including detonators.
Type F	900 kg mixed explosives including detonators.

Note: For Magazine Types A to F, the explosive weight of detonators will be calculated at 1.0206 kg per 1000 detonators.

### **Magazine Storage**

2.3 General guidance on the procedures for setting up and operating a licensed magazine for explosives is given at Appendix G. However, the type of storage to be provided must in every case satisfy the Explosives Licensing Officer and will conform with the following requirements:-

a)	Type A	<p>(4.5 kg of mixed explosives)</p> <p>This magazine must consist of a properly constructed fireproof safe or other substantial receptacle such as a cupboard or box, all under lock and key, used exclusively for explosives and kept inside a building.</p> <p>Detonators must be kept in a separate receptacle.</p>
b)	Type B	<p>(25 kg of mixed explosives)</p> <p>This magazine requires a building or erection substantially constructed and must be wholly detached from any dwelling house. It should not be less than 14 metres from any highway or public thoroughfare or place where the members of the public congregate or work. Details of suitable specifications for a steel constructed magazine, with a separate annex for detonators, are held by the Explosives Licensing Officer and are available for inspection by prospective licensees.</p>
c)	Type C to F	<p>(75 kg to 900 kg of mixed explosives)</p> <p>Where the quantity of explosives for which storage is required exceeds 75 kg, a special magazine building or a mobile steel store must be brought into use. Specifications covering the design of suitable mobile stores as applicable to the various types of magazines are held by the Explosives Licensing Officer and are available for inspection by the prospective applicant for a magazine licence.</p>

### **Private Use Storage**

- 2.4 There are no restrictions on the manner in which not more than 4 kg of small arms ammunition propellant is stored for private use. However, such quantities should be

kept in the tins in which it is purchased, and the tins kept in a locked wooden box clearly labelled “Explosives”. For security purposes, the box should be stored in a locked cupboard. Only when small arms ammunition propellant in quantities in excess of 4 kg are required will it be necessary for the person concerned to obtain a transfer and use licence from the Explosives Licensing Officer in the form set out at Appendix C. Particulars to be furnished by the applicant are set out at appendix D. A fee will be payable for such a licence.

### **Planning Permission**

- 2.5 Except where Type A magazines are concerned, there will probably be a necessity to obtain building planning permission under the terms of the Island Planning (Jersey) Law, 1964, as amended. The Explosives Licensing Officer will advise applicants regarding the requirement. At the same time there must be close liaison between the officials of the Planning Office and the Explosives Licensing Officer to ensure that the appropriate safety distances are maintained from existing magazine sites where re-zoning and re-allocation of land is proposed for building or for any other development purposes.

## **PART 3 – LICENSING OF CONVEYANCE OF EXPLOSIVES BY ROAD**

### **Need for Licence to Convey Explosives**

- 3.1 The essential feature of all precautions to be taken in connection with the conveyance of explosives by means of road transport is the adequate protection from blows or percussion shock, from sparks, flames, or other means of ignition and from direct contact with any corrosive material such as acid. In addition, where any explosive is conveyed by road transport, it must be enclosed in an adequate container and each package clearly marked as to its contents.
- 3.2 Where an applicant for a transfer and use licence or for a magazine storage and use licence has to transport more than 4 kg of explosives by road, it will be necessary to issue him also with a conveyance of explosives licence under Article 6 of the Law as amended, which will specify the safety conditions appropriate to the task in hand. Specimen licensing conditions for the conveyance of explosives by road are set out at Appendix H. However, it should be noted that in relation to the conveyance of 4 kg of small arms ammunition propellant or less, there are no restrictions as to the manner in which such quantities should be moved by road, except that none will be conveyed in any public service vehicle which is carrying or plying for trade. Particulars to be furnished by the applicant who wishes to obtain a licence to convey explosives are included in the importation, transfer and magazine storage application forms.

### **Categories of Vehicles to be Used**

- 3.3 Subject to compliance with specified essential safety conditions for the conveyance of explosives by road which are prescribed by the Home Affairs Committee in a conveyance of explosives licence under Article 6 of the Law, the types of vehicles that can be used and the quantities permitted to be carried in each type of vehicle are as follows:

Category	Type of Vehicle	Quantity of Explosives
I	Mechanically propelled articulated vehicle, with trailer supporting container	3,625 kg
II	Mechanically propelled vehicle: Commercial vehicle Private vehicle Public transport	225 kg 45 kg Nil

Under Category I conditions of conveyance, detonators must be carried in a separate vehicle to other explosives. Under Category II conditions of conveyance, detonators must be stowed in the vehicle as far as possible from the other explosives and in a position from which they can be easily removed.

**Provision of Police and Fire Service Escort**

- 3.4 The maximum quantity of 225 kg given for the conveyance of explosives in an ordinary commercial vehicle or van is adequate to cover the requirements of an explosives magazine licensee such as a quarry company which is drawing weekly supplies from a central magazine. However, where bulk importation is concerned, special factors must be borne in mind. These include the frequency of importation, the quantities and classes of explosives involved, the entrance of an explosives ship into a general cargo harbour, the clearance of a quay, employment of dock labour, police escort, and fire service supervision. Under these circumstances the importer may convey up to 3,625 kg of explosives on each vehicle, from the point of discharge at the harbour to the central magazine.
- 3.5 A vehicle or convoy of vehicles carrying more than 225 kg of explosives on public thoroughfares must be accompanied by a mobile police escort and in addition when the contingencies of the service permit it, have a small fire appliance in attendance.

The police officer escorting the convoy will ensure that the drivers are made aware of the route to be followed.

### **Ship Discharge and Handling at St Helier Harbour**

- 3.6 The Harbour Master, having due regard to the risks involved, will be responsible for timing the entry into St Helier Harbour and providing berthing facilities for an explosives ship and in doing so will ensure that the maximum possible degree of isolation of the explosives consignment is obtained from petroleum product handling and from ships carrying passengers. The handling of explosives cargoes will cease when an electrical storm is in progress within 8,000 metres of the harbour. In addition steps will be taken to ensure, by supervision and by erection of temporary barriers that the point of discharge or re-shipment is isolated from places where the general public have access. In this connection detailed safety requirements are set out in the appropriate harbour regulations.

### **Conveyance of Fireworks by Road**

- 3.7 Instructions regarding the conveyance of fireworks in mechanical vehicles are set out at Appendix J. However, it should be noted that fireworks are exempt from the provisions of Article 6 of the Law as amended, subject to the condition that the maximum quantity which may be carried in any one commercial vehicle or private vehicle at any one time shall not exceed 450 kg and 45 kg respectively. Fireworks may not be carried in public transport.

### **Limitations on Use of V.H.F. Radio Transmitters**

- 3.8 Transmitters of electromagnetic energy such as radio, television and radar installations may under certain circumstances fire electric detonators. In consequence, as a minimum precaution, VHF mobile vehicle and hand radio sets

should not be used for transmitting purposes within 30 metres of electrically initiated explosives.

## **PART 4 – KEEPING OF FIREWORKS**

### **General Conditions**

- 4.1 As set out in the general policy statement given in Part 1, fireworks are classified as explosive materials, and as such are subject to a degree of control under the Law. This control includes the issue of importation licences, and also of retail sale licences. There are, however, certain exemptions from the Law which apply to the control of fireworks. These are set out in Part 6 of the Code.
- 4.2 The Chief Officer of the States of Jersey Fire and Rescue Service, as directed by the Home Affairs Committee, is the official responsible for the issue of importation licences, while the Constable of the Parish is responsible for the issue of retail sale licences which entitle retailers of fireworks to obtain a given quantity of fireworks from the importer for re-sale to the public. In connection with the keeping of fireworks, general guidance on the procedures to be adopted and the method of storage and display of fireworks, is given at Appendix J. Fireworks may not be sold to a child who appears to be under the age of 16 years.
- 4.3 A firework importation licence will be granted for one importation only. The applicant must satisfy the Chief Officer of the States of Jersey Fire and Rescue Service that adequate and appropriate storage space is available to house the consignment of fireworks to be imported. At the same time the Chief Officer of the States of Jersey Fire and Rescue Service will consult with the Harbour Master to ensure that adequate arrangements have been made in relation to the unloading of the fireworks to be imported. The Home Affairs Committee will normally grant exemption from the requirements of Article 4(1) of the Law that explosives including fireworks shall only be kept in a licensed magazine. An import licence must be in the hands of the importer before the goods are ordered.

- 4.4 In order to facilitate the acquisition of small quantities of pyrotechnics required for marine safety purposes, up to 2.5 kg gross weight of such pyrotechnics may be imported into the Island without a licence provided that the items are not for re-sale and that the sender conforms to the requirements for the transportation of dangerous goods by ship.
- 4.5 Licences for the importation of fireworks will be in the form set out at Appendix K. Particulars to be furnished by a person who wishes to apply for an import licence are set out at Appendix L.
- 4.6 An application for an import licence will be forwarded to the Chief Officer of the States of Jersey Fire and Rescue Service. No fee will be payable for this licence.
- 4.7 Copies of the import licence will be forwarded by the Chief Officer of the States of Jersey Fire and Rescue Service to the Chief Agent of the Impôts and to the Harbour Master for consignment clearance and for record purposes.
- 4.8 Consignments of fireworks will normally be imported or re-shipped at St Helier Harbour. In this connection, the Chief Agent of the Impôts will draw the attention of the Chief Officer of the States of Jersey Fire and Rescue Service to any unlicensed or irregular consignments of fireworks which are shipped to the Island and will request disposal or other instructions from that official.
- 4.9 In connection with the sale of fireworks as shop goods where a retail sale licence is required, the form to be used will be that set out at Appendix M. Particulars to be furnished by a person who wishes to apply for a licence to sell fireworks at retail level are set out at Appendix N.
- 4.10 An application for a retail sale licence will be submitted in duplicate to the Constable of the Parish in which the fireworks are to be sold to members of the public. The licence will be granted by the Constable of the Parish in consultation with the Chief

Officer of the States of Jersey Fire and Rescue Service. A licence fee will be payable.

It will be valid for one year only ending on 31<sup>st</sup> December.

- 4.11 It is possible that certain firms or persons may wish both to import and sell fireworks at retail level. This is admissible, provided import and retail sale licences are obtained in accordance with the procedures set out above.
- 4.12 The quantity of fireworks which may be conveyed by road in given types of vehicles is subject to the limitations set out at Appendix J. At the same time it should be noted that the conveyance of fireworks by road does not require a specific licence (See Article 6 (5) of the Law as amended).
- 4.13 These overall procedures are intended to cover normal conditions of importation, storage and sale of fireworks to the public. However, where abnormal circumstances are met such as in the presentation of a large fireworks display, then these must be brought to the notice of the Chief Officer of the States of Jersey Fire and Rescue Service and, if possible, special precautions taken to meet the situation.

## **PART 5 – DUTIES OF THE EXPLOSIVES LICENSING OFFICER**

### **Importation Licensing**

- 5.1 To issue importation licences for explosives to nominated persons or concerns as directed by the Home Affairs Committee with a view to controlling the types and quantities of explosive materials held in the Island at any given time. Bulk importation of fireworks will also be controlled in this manner, but under arrangements made by the Chief Officer of the States of Jersey Fire and Rescue Service (see Parts 1 and 4 for details). These duties will be performed in close consultation with the Chief Agent of the Impôts and the Harbour Master.

### **Storage of Explosives**

- 5.2 To report to the Home Affairs Committee on the site and construction of all types of explosives magazines. The main points to be ascertained are as to whether appropriate safety distances are being maintained and whether the construction of the magazine is substantial, secure and otherwise conforms to the requirements laid down in Part 2 of this Code of Requirements, and also as detailed in Appendix IV to Home Office Circular No. 113/1972 entitled Storage of Explosives: Security Arrangements; a copy of which is held by the Explosives Licensing Officer for reference purposes.

### **Issue of Magazine Store, Transfer and Use Licences**

- 5.3 Working in consultation with the Chief Officer of the States Police, to advise the Home Affairs Committee regarding the issue of magazine store, transfer and use licences. The essential principle covering the issue of these explosives licences is that the person or concern to whom they are granted must be, in the opinion of the Home Affairs Committee, a fit person or concern to store, handle and use the explosives in question.

### **Inspection of Magazines and Premises**

5.4 All types of magazines and premises where explosives are used for commercial purposes must be inspected by the Explosives Licensing Officer at least once a year. The Officer should satisfy himself that a current licence to hold specific explosive materials is held and that the explosives are being used in accordance with the specified licensing conditions. The inspection of stores used specifically for small arms ammunition propellant and for fireworks will be carried out under arrangements made by the Chief Officers of the States of Jersey Police and States of Jersey Fire and Rescue Service respectively. A check list in respect of magazine inspections is attached at Appendix O.

#### **Conveyance of Explosives by Road**

5.5 To issue conveyancing licences and to ensure, in conjunction with the Harbour Master, the Chief Officers of the States of Jersey Police and States of Jersey Fire and Rescue Service and the commercial agent or conveyor of the explosives, that all instructions issued in regard to road movement of explosives are adhered to. The types of vehicles which can be used, and quantities permitted in each type are dealt with in Part 3 of this Code. It is considered that this duty is of the highest importance in regard to public safety inasmuch as explosives must be often conveyed through thoroughfares where the consequence of an explosion may be far more serious than in a magazine or in other premises where explosives are kept and used.

#### **Private Use**

5.6 To ensure, in conjunction with the Chief Officer of the States of Jersey Police, that the instruction in regard to the keeping of explosives for private use are adhered to.

#### **Powers**

5.7 To exercise general control of explosives as directed by the Home Affairs Committee, including entry for inspection purposes of magazine and other premises where

explosives are stored and used and where blasting operations are taking place. In this connection a specimen observations report is set out at Appendix P.

#### **Assistance**

- 5.8 To render assistance to licence applicants and licence holders in the interpretation and administration of the appropriate Articles contained in the Explosives (Jersey) Law, 1970, as amended, and its associated Code of Requirements.

#### **Accidents**

- 5.9 To report to the Home Affairs Committee the circumstances of any accidents in which explosive materials are involved.

#### **Firearms Ammunition**

- 5.10 To advise the Chief Officer of the States of Jersey Police regarding the storage of small arms ammunition propellant where, in addition, other types of explosives are kept.

#### **Technical Advice**

- 5.11 To call on the Explosives Ordnance Disposal Officer, as appointed by the Home Affairs Committee, to provide technical advice regarding the practical handling and effects of explosive materials and at the same time to liaise with that official regarding the requirements of the Explosives (Safety Provisions) (Jersey) Regulations, 1972.

#### **Delegation of Responsibilities**

- 5.12 To delegate the responsibilities of Explosives Licensing Officer as set out in the Code of Requirements to the Explosives Ordnance Disposal Officer when the Explosives Licensing Officer is on leave, sick, or out of the Island for any reason.

## **PART 6 – EXEMPTIONS FROM THE LAW**

### **Powers to Grant Exemptions**

- 6.1 Having due regard to the powers of the Home Affairs Committee to grant exemptions under Article 13 (1) of the Law and to the practical implementation of the Law it has been agreed by the Defence Committee, under Act No. 5 of 13<sup>th</sup> June, 1972, Act No 3 of 25<sup>th</sup> November, 1976 and Act No. 11 of 14<sup>th</sup> December, 1978 that the specific exemptions set down below shall be applied and shall be included as licensing conditions where appropriate.

### **Importation of Marine Safety Pyrotechnics**

- 6.2 Under Article 13 and in relation to the importation of fireworks the Home Affairs Committee hereby grants exemption from the provision of Article 2 (1) whereby no person shall import any explosives into the Island except in accordance with a licence granted to him by the Committee. However, under this exemption up to 2.5 kg gross weight of pyrotechnics required specifically for marine safety purposes may be imported into the Island without a licence provided that such items are not for re-sale and the sender conforms to the transportation requirements for the carriage of dangerous goods by ship.

### **Maintenance of Register by an Importer of Fireworks**

- 6.3 Under Article 13 and in relation to the importation of fireworks, the Committee hereby grants exemption from Article 2 (8) whereby any person to whom an importation licence has been granted shall maintain a register which shall contain the following details:-
- a) The quantity and description of explosives imported.
  - b) The quantity and description of explosives sold or transferred.
  - c) The persons to whom explosives have been sold or transferred.

Under this exemption the Chief Officer of the States of Jersey Fire and Rescue Service will direct the importer to maintain such records as he sees fit for the given circumstances.

#### **Storage of Fireworks**

- 6.4 Under Article 13 and in relation to the storage of fireworks, the Committee hereby grants exemption from the provision of Article 4 (1) whereby no person shall keep or store any explosives which by definition includes fireworks other than in a magazine duly licensed by the Committee. However, under this exemption, adequate and appropriate storage space must be available to house the consignment of fireworks to the satisfaction of the Chief Officer of the States of Jersey Fire and Rescue Service.

#### **Storage of Explosives for Private Use**

- 6.5 Under Article 13 and in relation to the storage of explosives for private use, the Committee hereby grants exemption from Article 4 (1) whereby no person shall keep or store any explosives other than in a magazine duly licensed by the Committee. Under this exemption, any person may store on private property up to a maximum of 4.0 kg of small arms ammunition propellant. However, before acquiring small arms ammunition propellant in quantities in excess of 4.0 kg it will be necessary for the person concerned to be in possession of a transfer and use licence and the Committee may attach such conditions as it thinks fit to the licence under Article 5 (3) of the Law.

#### **Manufacture of Explosives in Schools and Educational Establishments**

- 6.6 Under Article 13 and in relation to the manufacture of explosives in schools and educational establishments, the Committee hereby grants exemption from Article 3 (1) whereby no person shall, whether or not by way of business, manufacture any explosives except in accordance with a licence granted to him by the Committee.

Under this exemption, it will be the responsibility of the Education Department at schools and educational establishments where chemistry and physics are taught and where laboratory experiments are performed as part of the training syllabus, to ensure that reasonable and adequate precautions are taken to safeguard life and property and to keep in a secure place materials which might cause an explosion.

**APPENDIX A**

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**  
**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**  
**LICENCE TO IMPORT EXPLOSIVES**

LICENCE No. IMP/ / .

The Home Affairs Committee under Article 2 of the Explosives (Jersey) Law, 1970, as amended, hereby licenses:-

to import the following quantities of explosive materials and accessories, subject to the conditions specified overleaf (\*) and to the requirements of the Law as amended –

As per attached list

Expected date of arrival:

Date:

Signature:

Explosives Licensing Officer,

On behalf of the Home Affairs Committee

Distribution:

### Conditions of Issue of Licence to Import Explosives

- A.1. The explosive materials will be kept in the magazines located at Crabbé, St Mary, Jersey.
- A.2. The explosive materials will only be imported or re-shipped at St Helier on board an explosives ship.
- A.3. The licence shall apply to one importation only.
- A.4. The consignor of the explosives in the United Kingdom .....  
will ensure that the Merchant Shipping (Dangerous Goods) Rules, 1965, with amendments as appropriate, are complied with where the carriage of explosives by sea transport to St Helier Harbour is concerned. In addition that Company will ensure that:-
- a) the explosives ship does not enter St Helier Harbour when an electric storm is in progress within 8,000 metres of that location.
  - b) during discharge of the consignment of explosives the cartons or wooden boxes marked and containing detonators are off-loaded from the ship on a separate pallet to all other explosives.
- A.5. The local shipping agent as nominated by the holder of this licence, will discharge the explosives ship at St Helier Harbour and will convey the consignment of explosives from St Helier Harbour to Crabbé. In so doing the shipping agent will be directed by the Harbour Master as to the timing and berthing of the ship at St Helier Harbour. From the point of discharge in St Helier Harbour to the point of storage in the magazine at Crabbé that agent will comply in detail with the conditions set out in the attached Licence to Convey Explosives by Road No. CON/ / .
- A.6. The holder of the licence shall ensure that the Explosives Licensing Officer or failing him, the Explosives Ordnance Disposal Officer, shall be given 48 hours notice of the estimated time of arrival of the explosives ship in St Helier Harbour.

A.7. The Harbour Master, having due regard to the instructions contained in the appropriate harbour regulations and in consultation with the Explosives Licensing Officer and the Chief Officer of the States Police, will be responsible for timing the entry into St Helier Harbour and providing berthing facilities for the explosives ship and in so doing he will ensure that the maximum possible degree of isolation of the explosives consignment is obtained from petroleum products handling and from ships carrying passengers. In addition steps will be taken to ensure by supervision and by erection of temporary barriers that the point of discharge or re-shipment is isolated from places where the general public have access.

A.8. The Harbour Master will ensure that the handling of the explosives cargo will cease when an electrical storm is in progress within 8,000 metres of St Helier Harbour.

A.9. The quantity of explosives to be conveyed by road from St Helier Harbour to Crabbé is listed as        kg and, in consequence ..... articulated vehicles will be used. These vehicles will be accompanied by a minimum of two mobile police units controlling the convoy in echelon having due regard to public safety and the road conveyance instructions issued with this licence. The route to be followed by the convoy will be:-

- The Esplanade
- Victoria Avenue
- Beaumont Hill
- The Farmer's Inn, St Ouen
- St Mary's Arsenal Estate
- La Rue du Rondin
- Crabbé

This route may be altered at the discretion of the Police Officer in charge of the escort to suit local conditions.

A.10. Radio transmitters/receivers will not be used within 30 metres of electronically detonated explosives including detonators themselves during transit from the point of discharge at St Helier Harbour to Crabbé and during storage at the magazines.

A.11. Public liability insurance cover with a limit of indemnity of not less than ..... as specified by the Home Affairs Committee must be maintained by the holder of this licence and whenever required the policy of insurance and receipts for payment of the current premium must be produced for inspection by the Explosives Licensing Officer.

A.12. If any accident occurs in connection with the importation and conveyance of the explosives then such an accident must be reported immediately to the Explosives Licensing Officer by the firm/service involved.

A.13. The magazine to which the imported explosives are conveyed will only be opened during the hours of daylight from thirty minutes before sunrise to thirty minutes after sunset.

A.14. The magazines, which are located within the boundaries of Crabbé Range, will remain closed and locked whenever the range flags are flying and the range is open for firing.

A.15. The holder of this licence shall maintain a register which shall contain the following details:-

- a) the quantity and description of the explosives imported;
- b) the quantity and description of explosives sold or transferred;
- c) the person to whom explosives have been sold or transferred.

A.16. This licence is not transferable.

A.17. There shall be no transfer out of the Island of any explosives in the possession of the holder of this licence by virtue of this licence except with the written consent of the Committee.

A.18. Surplus or defective explosives shall not be used or disposed of in any way except with the permission of the Explosives Licensing Officer.

A.19. No smoking or naked lights will be allowed within seven metres of any explosive materials.

A.20. The responsibility for ensuring that the licensing conditions set out in this licence are adhered to, will be limited to one of the following officials who are hereby nominated as Appropriate Persons as defined in the Explosives (Safety Provisions) (Jersey) Regulations, 1972:-

.....  
.....  
.....  
.....

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**

**THE EXPLOSIVES (JERSEY) LAW, 1970 AS AMENDED**

**PARTICULARS TO BE FURNISHED BY AN APPLICANT FOR AN EXPLOSIVES**

**IMPORT LICENCE**

- B.1. Full name of applicant:
- B.2. Date and place of birth:
- B.3. Nationality of applicant:
- B.4. Place of business and residence of applicant with telephone numbers:
- B.5. Purpose for which the explosives are required:
- B.6. Quantities by weight and description of explosives in possession at the date of application:
- B.7. Quantities by weight and description of explosives for which import and conveyancing licences are required:
- B.8. Name and address of road haulier to be employed:
- B.9. Address and details of storage arrangements with proposed conveyancing route to be followed:
- B.10. Expected date of arrival of explosives:
- B.11. Name and address of manufacturer from whom the explosives will be obtained:
- B.12. Names and appointments of officials nominated as Appropriate Persons.
- B.13. Amount of insurance coverage for loss, injury or damage to third parties or properties on account of accidents involving explosives during storage, conveyance and use. Policy, current certificate or proof of insurance coverage in letter form to be produced for inspection.

Date:

Signature:

**APPENDIX C**

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**  
**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**  
**LICENCE TO TRANSFER AND USE EXPLOSIVES**

LICENCE NO. TRANS/...../.....

The Home Affairs Committee under Article 5 and Article 4A of the Explosives (Jersey) Law, 1970, as amended, hereby licenses:

as an occupier of a licensed magazine to transfer to

the following maximum quantities of explosive materials and accessories, subject to the conditions specified hereunder (\*) and to the requirements of the Law as amended and also of the appropriate sections of the Explosives (Safety Provisions) (Jersey) Regulations, 1972:

during the period from

to

for the given purpose at the following location:

Date: .....

Signature: .....

Explosives Licensing Officer

On behalf of the Home Affairs Committee

Distribution:

\* Conditions of Issue of Licence to Transfer and Use Explosives.

C.1. These explosive materials when not in immediate use and always during the hours of darkness, will be kept in a licensed magazine, at the following address:

.....  
.....

C.2. The holder of this licence shall not have in his possession at any given time a quantity of explosives greater than that specified in the licence.

C.3. The holder of this licence, who has to convey explosives by road, must ensure that the conditions set out in the attached copy of the Licence to Convey Explosives by Road No.

CON/...../..... are complied with.

C.4. This licence is not transferable.

C.5. At the time of each transaction, the attached transfer endorsement form will be completed by the dealer and handed to the transferee.

C.6. There shall be no transfer out of the Island of any explosives in the possession of the holder of this licence by virtue of this licence except with written consent of the Home Affairs Committee.

C.7. Mobile vehicle and hand radio sets must not be used for transmitting purposes within thirty metres of electronically initiated explosives.

C.8. Public liability insurance cover with a limit of indemnity of not less than ..... as specified by the Home Affairs Committee must be maintained by the holder of this licence and whenever required the policy of insurance and receipts for payment of the current premium must be produced for inspection by the Explosives Licensing Officer.

C.9. Surplus or defective explosives shall not be used or disposed of in any way except with the permission of the Explosives Licensing Officer.

C.10. The control of all work connected with the handling and conveyance of explosive materials at the magazine site and during blasting operations at .....

.....  
shall be limited to the following person nominated by the licence holder and approved by the Home Affairs Committee as a shot firer while he is employed as such by the licence holder:-

.....  
In performing his duties the shot firer shall conform to the appropriate provisions and requirements set out in this licence and in the Explosives (Safety Provisions) (Jersey) Regulations, 1972.

C.11. No smoking or naked light will be allowed within seven metres of any explosives.

C.12. A register in a form approved by the Explosives Licensing Officer must be maintained in which the licence holder must enter details of the amounts and description of the explosives and accessories received from the dealer and the amounts used for blasting purposes. In the event of the explosives being returned a fresh entry must be made in the registry. Entries must be completed on each occasion that the explosives are used. The registry is subject to inspection by the Explosives Licensing Officer.

C.13. If any accident occurs in connection with the storage, conveyance or use of explosives then such an accident must be reported to the Explosives Licensing Officer by the licence holder.

FORM OF ENDORSEMENT ON TRANSFER OF EXPLOSIVES

Dealer .....

As occupier of a licensed magazine, I have today transferred to: .....

.....

the following explosive materials:

.....

.....

.....

Date: ..... Signature: .....

Appointment: .....

- O - O - O - O -

Dealer .....

As occupier of a licensed magazine, I have today transferred to: .....

.....

the following explosive materials:

.....

.....

.....

Date: ..... Signature: .....

Appointment: .....

- O - O - O - O -

**ADDITIONAL ENDORSEMENT TO BE INCLUDED OVERLEAF**

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**

**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**

**PARTICULARS TO BE FURNISHED BY AN APPLICANT FOR AN EXPLOSIVES**

**TRANSFER AND USE LICENCE.**

- D.1. Full Name of applicant:
  
- D.2. Date and place of birth:
  
- D.3. Nationality of applicant:
  
- D.4. Place of business and residence of applicant with telephone numbers:
  
  
- D.5. Quantities by weight and description of explosives in possession at the date of application:
  
  
  
  
  
- D.6. Quantities by weight and description of explosives for which transfer, use and conveyancing licenses are required:
  
  
  
  
  
- D.7. Place of storage:
  
- D.8. Purpose for which the explosives are required:
  
- D.9. Locations at which they are to be used:
  
  
  
  
  
- D.10. Proposed conveyance route to be followed from store to place of use:
  
  
  
  
  
- D.11. Expected date for transfer:
  
- D.12. Period for which explosives are required:

D.13. Name and address of importer/dealer who will supply the explosives:

D.14. Amount of insurance coverage for loss, injury or damage to third parties or properties on account of accidents involving explosives during storage, conveyance and use. Policy, current certificate or proof of insurance coverage in letter form to be produced for inspection:

Date: ..... Signature: .....

\* Conditions of Issue of Licence to Store in a Magazine and Use Explosives

E.1. The explosive materials will be kept in a magazine located at

..... and used at

.....

E.2. The Explosives Licensing Officer shall be notified of any intentions on the part of the licence holder to use the explosives on any site other than a site specified in this licence.

E.3. The location and construction of the magazine must be approved by the Explosives Licensing Officer appointed by the Home Affairs Committee.

E.4. A notice, bearing the word – Explosives – must be fixed to the side of the building or other construction containing explosives.

E.5. All grass, fern, gorse or other foliage must be kept cut short around the magazine.

E.6. The quantity of explosives and detonators stored must not exceed the figure given in the licence.

E.7. Where detonators and explosives are stored, the former must be kept in a store separated from the store in which the latter are housed, and on no account must a detonator be taken into the main explosive store, or explosives into the detonator store.

E.8. The whole of the magazine must be kept clean and the floor must be swept regularly. Over-shoes must be kept in the magazine for use in that store and also in the detonator store as applicable. Dirty boots must never be placed on the clean floor. Likewise over-shoes must never be placed on the dirty ground outside the magazine.

E.9. No person must enter the magazine if he has in his possession either smoking materials or any other means of making a spark or flame, neither must any person under the age of 21 years be allowed inside or to handle explosives.

E.10. Nothing may be kept in the magazine other than the explosives and detonators covered by this licence and the tools necessary for opening and closing boxes. All tools to be

used for this purpose must be made of wood or soft metal such as copper or brass. On no account may iron or steel tools be used.

E.11. The keys of the magazine must be kept in the custody of a responsible person, and a duplicate set of keys must also be kept in a safe place. Changing of locks or other magazine security devices must be reported at the time to the Explosives Licensing Officer.

E.12. A register, in a form approved by the Explosives Licensing Officer must be maintained in which must be entered the amounts of explosives and detonators received into the magazine and the amounts issued therefrom and to whom. This register, which must not be kept in the magazine, must be kept up to date, so that it is possible to see at a glance the contents of the magazine and to check this figure against the actual stocks held. Such a check must be carried out by a responsible person on each day that the magazine is opened, and any shortage of stock must be reported immediately to the Explosives Licensing Officer appointed by the Home Affairs Committee and to the Headquarters, States Police, Rouge Bouillon, St Helier.

E.13. When explosives are withdrawn for use, the person withdrawing them must enter in the register the date and the exact amount of explosives withdrawn, i.e. number of cartridges, length of fuse, number and type of detonators and a competent person must be present to ensure that all the materials withdrawn are either expended or are returned to the magazine. In the event of materials being returned a fresh entry must be made in the register.

E.14. Access to the magazine and to the location where the explosives are being used shall be given to the Explosives Licensing Officer appointed by the Home Affairs Committee, at such time as he may require, and the register must be produced for his inspection.

E.15. This licence is not transferable.

E.16. If a workshop is used in connection with the magazine for filling cartridges, making charges, drying, sifting, fitting or otherwise adapting or preparing the explosives for use

exclusively in a quarry of the occupier of the magazine or in some excavation or work carried on by him or under his control, then the following precautions must be taken:-

a) The use of such workshop must be notified to the Explosives Licensing Officer when an application for a licence is made.

b) The workshop should be situated in the vicinity of the magazine.

c) There must not be present in such workshop more than 45 kg of mixed explosives.

d) No work unconnected with such adaptation or preparation of explosives as indicated above must be carried on in the workshop.

E.17. All due precautions must be taken by the occupier of the magazine and by every person employed in or about it to prevent accidents by fire or explosion and to prevent unauthorised persons having access to the magazine or workshop or to the explosives therein and to prevent any act from being committed which tends to cause fire or explosion. If any accident or explosion or fire should occur in or about the magazine, workshop or where the explosives are being used then such accident must be reported immediately to the Explosives Licensing Officer.

E.18. No repairs are to be executed in any part of the magazine or workshop except after the magazine, or workshop has been completely cleared by the removal of all explosives.

E.19. There must be fixed immediately inside the magazine or workshop a notice indicating the maximum quantities of the explosives that may be stored therein. Also attached to the notice must be a copy of the conditions under which the licence was issued.

E.20. The occupier of the magazine who has to convey explosives by road must ensure that the conditions set out in the attached copy of the Licence to Convey Explosives by Road No. CON/...../..... are complied with.

E.21. The magazine will only be opened during the hours of daylight from thirty minutes before sunrise to thirty minutes after sunset.

E.22. At Crabbé no persons in possession of the magazine or detonator store keys shall enter or remain in the explosives storage area as entered by the outer gate on the public lane leading from Crabbé Farm unless he is accompanied by another known and responsible person over the age of 21.

E.23 The magazine must have an appropriate lightning conductor erected adjacent to it if it is licensed to store 75 kg or more of mixed explosives.

E.24. A magazine located within the boundaries of Crabbé Range will remain closed and locked whenever the range flags are flying and the range is open for firing. When access is required under these circumstances the occupier of the magazine or his representative will liaise with the duty safety official present on the range and will arrange for the firing practice to cease during the short period that the magazine doors are open.

E.25. Within every period of four weeks a stock check of all explosive materials held on charge shall be carried out at managerial level in order to ensure that the licensing conditions set out in E.12. and E.13. above are being adhered to. A record of the findings of these checks, together with any necessary action taken, will be kept and made available for inspection by the Explosives Licensing Officer at any reasonable time.

E.26. The control of all work connected with the handling and conveyance of explosive materials at the magazine site, in transit and during blasting operations at ..... shall be limited to the following person(s) nominated by the licence holder and approved by the Home Affairs Committee as shot firer(s) while employed as such by the licence holder:-

.....	.....
.....	.....
.....	.....

In performing his duties the shot firer shall conform to the appropriate provisions and requirements set out in this licence and in the Explosives (Safety Provisions) (Jersey) Regulations, 1972.

E.27. Before employing a person as a shot firer the licence holder shall submit an application for approval to the Home Affairs Committee and include the following particulars:-

Full name

Date and place of birth

Nationality

Place of residence

It is the responsibility of the licence holder to inform the Explosives Licensing Officer immediately a shot firer ceases to be employed as such or leaves that employment.

E.28. There shall be no transfer out of the Island of any explosives in the possession of the holder of this licence by virtue of this licence except with the written consent of the Home Affairs Committee.

E.29. Mobile vehicle and hand radio sets must not be used for transmitting purposes within thirty metres of electrically initiated explosives.

E.30. Public liability insurance cover with a limit of indemnity of not less than ..... as specified by the Home Affairs Committee must be maintained by the holder of this licence and whenever required the policy of insurance and receipts for payment of the current premium must be produced for inspection by the Explosives Licensing Officer.

E.31. Surplus or defective explosives shall not be used or disposed of in any way except with the permission of the Explosives Licensing Officer.

E.32. No smoking or naked light will be allowed within seven metres of any explosive materials.

E.33. The responsibility for ensuring that the licensing conditions set out in this licence are adhered to, will be limited to one of the following officials who are hereby nominated as Appropriate Persons as defined in the Explosives (Safety Provisions) (Jersey) Regulations, 1972:-

.....

.....

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**

**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**

**LICENCE TO STORE IN A MAGAZINE AND USE EXPLOSIVES**

LICENCE NO. MAG/...../.....

The Home Affairs Committee under Article 4 and Article 4A of the Explosives (Jersey) Law, 1970, as amended, hereby licenses:

to store the following quantities of explosive materials and accessories, subject to the conditions specified hereunder (\*) and to the requirements of the Law, as amended, and also to the appropriate sections of the Explosives (Safety Provisions) (Jersey) Regulations, 1972:

during the period from

to

Date: .....

Signature:

.....

Explosives Licensing Officer

On behalf of the Home Affairs Committee

Distribution:

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**

**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**

**PARTICULARS TO BE FURNISHED BY AN APPLICANT FOR AN EXPLOSIVES**

**MAGAZINE STORE AND USE LICENCE**

- F.1 Full name of applicant:
- F.2 Date and place of birth:
- F.3 Nationality of applicant:
- F.4 Place of business and residence of applicant with telephone numbers:
- F.5 Quantities by weight and description of explosives for which magazine store, use and conveyancing licences are required:
- F.6 Purpose for which the explosives will be used:
- F.7 Location at which they are to be used:
- F.8 Notification of the intention to use a workshop in connection with the magazine and the preparation of the explosives for use:
- F.9 Address and details of storage arrangements with proposed conveyancing route to be followed:
- F.10 Period for which the licence is required:

F.11. Name and address of importer/dealer who will supply the explosives

F.12. Names and appointments of officials nominated as Appropriate Persons:

F.13. Amount of insurance coverage for loss, injury or damage to third parties or properties on account of accidents involving explosives during storage, conveyance and use. Policy, current certificate or proof of insurance coverage in letter form to be produced for inspection.

Date: ..... Signature: .....

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**

**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**

**GENERAL GUIDANCE ON PROCEDURE FOR OPERATING AN EXPLOSIVES**

**MAGAZINE**

Licensing

G.1. The magazine must be licensed by the Home Affairs Committee in the name of the occupier for specified explosives. A fee will be payable for such a licence. It will be valid for one year only ending on 31<sup>st</sup> December.

Site and Construction

G.2. The magazine must not be situated below ground in any mine or quarry, or in any tunnel, or underground place, near which members of the public congregate or work or which is used as a thoroughfare.

G.3. The magazine must be well and substantially built and so made and closed as to prevent unauthorised persons having access to it. Security fencing will be erected around the magazine site as necessary, in accordance with instructions issued by the Explosives

Licensing Officer.

Lightning Conductor

G.4. The magazine must have erected adjacent to it an efficient lightning conductor, unless it is licensed under Types A, B or C of the licensed magazine classification. It is recommended that the lightning conductor should be constructed in accordance with the British Standard Code of Practice for such equipment, a copy of which is held by the Explosives Licensing Officer and is available for inspection by prospective licensees.

Interior

G.5. The interior fittings of the magazine must be so constructed or so lined or covered as to prevent the exposure of any iron or steel or the detaching of any grit, iron or steel in such a manner as to come into contact with the explosive materials. This provision can best be complied with by lining the magazine with wood or other suitable material. The floor must be of wood or asphalt free from grit. All nails should be preferably of copper, brass or zinc, but if iron nails are used, they should be counter-sunk and puttied over. All exposed ironwork in the building should be efficiently covered with wood, leather or zinc or should be thickly painted.

G.6. Where any explosive which is liable to be dangerously affected by water is kept, then due precautions must be taken to exclude water and any form of dampness from the magazine.

#### Maximum Quantities

G.7. The maximum quantities of explosives which may be kept in the various types of magazines are as follows:-

<b>Type of Magazine</b>	<b>Quantity of Explosives</b>
Type A	4.5 kg
Type B	25 kg
Type C	75 kg
Type D	125 kg
Type E	450 kg
Type F	900 kg

#### Prohibited Explosives

G.8. The magazine must be used only for the keeping of explosives, receptacles and tools for work connected with the handling of such explosives. It is prohibited to keep in the magazine explosives of the 5<sup>th</sup> (Fulminate) Class or other explosives which have not been authorised.

#### Use of Workshop

G.9. If a workshop is used in conjunction with the magazine for filling cartridges, making charges, drying, sifting, fitting or otherwise adapting or preparing the explosives for use exclusively in a quarry or mine of the occupier of the magazine or in some excavation or work carried on by him or under his control, then the following precautions must be taken:-

a) The use of such workshop must be notified to the Explosives Licensing Officer when an application for a licence is made.

b) The workshop should be situated in the vicinity of the magazine and at some 24 metres from that magazine and from any other exposure.

c) There must not be present in such workshop more than 45 kg of mixed explosives.

d) No work unconnected with such adaptation or preparation of explosives as indicated above must be carried on in the workshop.

#### Tools and Implements

G.10. All tools and implements used in the magazine or workshop must be of wood, copper, brass or some soft metal or material or be covered with some safe and suitable materials.

#### Shoes

G.11. Suitable shoes must be used in order to prevent the introduction into the magazine or workshop of grit or of any exposed iron or steel. At every magazine and workshop there should be a visible boundary whether formed by a step or by a vertical board beyond which dirty iron-nailed boots should never pass except directly into over-shoes which are made without any iron.

#### Prevention of Fire or Explosion

G.12. Provision should be made by the use of suitable working clothes without pockets, by searching, or by some such means for preventing the introduction into the magazine or workshop of matches or any substance or article likely to cause explosion or fire.

#### Smoking

G.13. No person shall smoke in any part of the magazine or workshop.

#### Work Persons Age Limit

G.14. A person under the age of 21 must not enter the magazine or workshop.

#### Repairs

G.15. No repairs are to be executed in any part of the magazine or workshop except after the magazine or workshop has been completely cleared by the removal of all explosives.

#### Notices

G.16. A warning to trespassers must be kept conspicuously posted up immediately outside the magazine and workshop. There must be kept inside the magazine and workshop a copy of the licence and the conditions attached thereto.

#### Accidents

G.17. All due precautions must be taken by the occupier of the magazine and by every person employed in or about it to prevent accidents by fire or explosion and to prevent unauthorised persons having access to the magazine or workshop or to the explosives therein and to prevent any act from being committed which tends to cause fire or explosion. If any accident or explosion or fire should occur in or about the magazine or workshop then such an accident must be reported immediately to the Explosives Licensing Officer.

#### Conveyance of Explosives

G.18. The occupier of the magazine who has to convey explosives by road must ensure that the current instructions issued in this respect are adhered to. (See Part 3 of this Code of Requirements).

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**  
**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**  
**LICENCE TO CONVEY EXPLOSIVES BY ROAD**

LICENCE NO. CON/...../.....

The Home Affairs Committee under Article 6 of the Explosives (Jersey) Law, 1970, as amended, hereby licenses:

A holder of an importation, a magazine store and use/a transfer and use licence, to convey by road the following maximum quantities of explosive materials and accessories subject to the conditions specified hereunder (\*) and to the requirements of the Explosives (Jersey) Law, 1970, as amended:-

During the period from \_\_\_\_\_ to \_\_\_\_\_

Between the following locations:-

The route to be followed will be:

Date:

Signature:

Explosives Licensing Officer

On behalf of the Home Affairs Committee

Distribution:

\*Conditions of Issue of Licence to Convey Explosives by Road.

H.1. Explosives shall not be conveyed by road except:-

a) in containers carried by a mechanically propelled articulated vehicle whose total load of explosives at any one time shall not exceed 3,625 kg; or

b) in a mechanically propelled standard commercial vehicle whose total load of explosives at any one time shall not exceed 225 kg; or

c) in a mechanically propelled private vehicle whose total load of explosives at any one time shall not exceed 45 kg.

H.2. Explosives shall not be conveyed by road in any vehicle which is carrying or plying for public passengers.

H.3. Every vehicle used for the conveyance of explosives shall be in a good structural and mechanical condition including state of tyres and brakes.

H.4. Every haulier intending to convey more than 225 kg of explosives at any one time, whether in one or more vehicles, shall give adequate notice of such intention to the Chief Officer of the States of Jersey Police Force who shall arrange for a mobile police escort to accompany the explosives during transit, and to the Chief Officer of the States of Jersey Fire and Rescue Service who shall, whenever possible, arrange for a fire appliance to accompany the explosives during transit.

H.5. Detonators shall not be carried by road in any vehicle conveying more than 225 kg of explosives.

H.6. Detonators which are carried by road in any vehicle conveying other explosives shall be stored as far as possible from such other explosives and in a position from which they may be easily removed.

H.7. Explosives shall be enclosed in adequate containers which shall be clearly marked as to their contents.

H.8. During loading and unloading and in transit, explosives shall be adequately protected from blows, percussion shock, sparks, flames or other means of ignition and from contact with any corrosive material.

H.9. Explosives shall not be loaded or unloaded during wet weather unless special precautions are taken to ensure that the outer package of the explosives is protected from dampness.

H.10. While explosives are being loaded or unloaded the engine of the vehicle which is about to convey or has just conveyed the explosives shall be switched off.

H.11. If the sides or back of the vehicle conveying the explosives are less than four hundred and fifty millimetres in height the explosives shall be protected by a tarpaulin securely tied to the vehicle.

H.12. The driver of every vehicle conveying more than 4 kg of explosives shall have attained the age of twenty-one years and shall be accompanied by at least one other person who has attained the age of eighteen years.

H.13. Explosives shall not be carried in the driver's cab of any articulated or other commercial vehicle.

H.14. Fuel shall not be carried in any vehicle conveying explosives except in a properly installed fuel tank.

H.15. No person who is engaged in any way in loading or unloading or conveying explosives shall smoke while he is so engaged.

H.16. An efficient chemical fire extinguisher capable of dealing with a petroleum spirit fire shall be carried on every articulated or other commercial vehicle conveying explosives.

H.17. When two or more vehicles conveying explosives are travelling together, a space of at least fifty metres shall, wherever possible, be kept between each such vehicle and every other such vehicle.

H.18. Drivers of vehicles conveying explosives shall not make unnecessary stops and shall ensure that the explosives are not left unattended during transit.

H.19. Vehicles conveying explosives shall not be parked near to overhead electric cables and shall not carry a radio transmitter.

H.20. The speed of vehicles conveying explosives shall not exceed the statutory limits.

H.21. When explosives are unloaded from a vehicle into a magazine, persons entering the magazine shall wear suitable over-shoes.

H.22. The driver of any vehicle conveying explosives which is involved in any accident shall ensure that such accident is reported to the Explosives Licensing Officer or Police Headquarters as soon as possible.

H.23. Explosives shall not be loaded or unloaded or conveyed except during the hours of daylight which for the purposes of this condition are the hours between thirty minutes before sunrise and thirty minutes after sunset.

H.24. Public liability insurance cover with a limit of indemnity of not less than ..... as specified by the Home Affairs Committee must be maintained by the holder of this licence and whenever required the policy of insurance and receipts for payment of the current premium must be produced for inspection by the Explosives Licensing Officer.

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**  
**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**  
**GENERAL PROCEDURE FOR STORAGE AND DISPLAY OF FIREWORKS**

**Storage**

- J.1. The maximum permitted quantity of fireworks which may be stored in one location must not exceed 900 kg.
- J.2. Where quantities in excess of 225 kg are stored, the fireworks must be kept in a building substantially constructed or in a securely constructed fireproof safe.
- J.3. The building must be detached from any dwelling house.
- J.4. The store or safe must be kept locked at all times except when fireworks are being put in or taken out.
- J.5. A permanent notice bearing the words “NO SMOKING OR NAKED LIGHTS” in fifty mm. red block letters on a white background should be conspicuously displayed adjacent to the store.
- J.6. Where the maximum quantity of fireworks does not exceed 225 kg these may be stored in substantial receptacles (whether or not a fireproof safe) inside a dwelling house or other building.
- J.7. Each receptacle must be capable of being secured and should not contain more than 45 kg of fireworks.
- J.8. A substantial receptacle may consist of an iron or steel trunk or box, a wooden box, a cupboard or drawer, suitably indicated.
- J.9. Such storage receptacles must be used exclusively for the storage of fireworks, and be isolated from other goods.

## Display

- J.10. Not more than 45 kg of fireworks may be kept in any room in which fireworks are sold to the public or to which the public have access.
- J.11. Where fireworks are to be stored in a shop, they may be kept in a cupboard or drawer.
- J.12. Where fireworks are displayed in a shop, they must be kept in a showcase, provided the showcase is not situated in the window.
- J.13. Where a receptacle is so situated in a shop as not to be readily accessible to mischievous persons, it need not be locked provided it is kept closed except when fireworks are being placed therein or withdrawn therefrom.
- J.14. There shall be no general display of fireworks in a shop window.
- J.15. Smoking is not to be permitted within the immediate area being used for the sale or storage of fireworks in a shop.
- J.16. A notice clearly indicating “NO SMOKING” must be conspicuously displayed within the shop, adjacent to the fireworks sales area.

## Accidents

- J.17. All precautions must be taken by the licensee to prevent unauthorised persons having access to the fireworks and to prevent any act from being committed which tends to cause a fire or explosion. If any accident by fire or explosion should occur in or about the premises then such accident must be reported to the Chief Officer of the States of Jersey Fire & Rescue Service.

## General

- J.18. Fireworks may not be sold to a child who appears to be under the age of 16 years.
- J.19. The quantity of fireworks which may be conveyed in mechanical vehicles is limited to:-

Commercial vehicle	450 kg
Private vehicle	45 kg

Public transport

Nil

J.20. Where it is required to convey larger quantities in one vehicle than those set out above, then special arrangements must be made in consultation with the Chief Officer of the States of Jersey Fire & Rescue Service.

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**  
**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**  
**LICENCE TO IMPORT FIREWORKS**

LICENCE NO. ....

The Home Affairs Committee under Article 2 of the Explosives (Jersey) Law, 1970, as amended, hereby licenses:

to import the following quantities of fireworks subject to the conditions specified hereunder (\*) but free from the requirements imposed by Articles 2(8) and 4(1) and from any condition prescribed under Article 4A and Article 6 of the Law as amended:-

Expected date of arrival:

On behalf of the Home Affairs Committee

Date:

Signature:

Chief Fire Officer

States of Jersey Fire & Rescue Service

\* Conditions of Issue of Licence to Import Fireworks

K.1. These fireworks will be kept in an approved store located at .....

K.2. This licence is granted for one importation only.

K.3. Consignments of fireworks shall only be imported or re-shipped at St Helier Harbour.

K.4. Adequate and appropriate storage space must be available to house the consignment of fireworks, to the satisfaction of the Chief Officer of the States of Jersey Fire & Rescue Service.

K.5. The quantity of fireworks which may be conveyed by road in mechanical vehicles is limited to:-

Commercial vehicle	450 kg
Private vehicle	45 kg
Public transport	Nil

K.6. Where it is required to convey larger quantities than those set out above in one vehicle, then special arrangements must be made in consultation with the Chief Officer of the States of Jersey Fire & Rescue Service.

K.7. All due precautions must be taken by the licensee to prevent unauthorised persons having access to the fireworks and to prevent any act from being committed which is likely to cause a fire or explosion.

K.8. If any accident by fire or by explosion occurs in or about or in connection with any premises licensed for the importation of fireworks, then such accident must be reported to the Chief Officer of the States of Jersey Fire & Rescue Service.

K.9. This licence is not transferable.

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**

**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**

**PARTICULARS TO BE FURNISHED BY AN APPLICANT FOR A FIREWORKS**

**IMPORT LICENCE**

L.1. Full name of applicant:

L.2. Place of business and residence of applicant:

L.3. Quantities by weight and description of fireworks in possession at the date of application:

L.4. Quantities by weight and description of fireworks for which an import licence is required:

L.5. Purpose for which fireworks are required:

L.6. Address and details of storage arrangements:

L.7. Expected date of arrival of the fireworks:

L.8. Name and address of manufacturer from whom the fireworks will be obtained:

Date:

Signature:

STATES OF JERSEY HOME AFFAIRS COMMITTEE  
THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED  
LICENCE TO SELL FIREWORKS

LICENCE NO. ....

The Constable of the Parish of ..... under Article 7(1) of the Explosives  
(Jersey) Law, 1970, as amended, hereby licenses:

to sell by retail the following maximum quantities of fireworks:

This licence is granted subject to the conditions specified hereunder (\*)

This licence expires on the 31<sup>st</sup> day of December.....

Date: .....

Signature: .....

Constable of .....

\* Conditions of Issue of Licence to Sell Fireworks

- M.1. The fireworks will be kept at the following address: .....
- .....
- M.2. The maximum permitted quantity of fireworks which may be stored in any one location must not exceed 900 kg.
- M.3. Where quantities in excess of 225 kg are stored, the fireworks must be kept in a building substantially constructed or in a securely constructed fireproof site.
- M.4. Storage buildings must be detached from any dwelling house.
- M.5. The store or safe must be kept locked at all times except when fireworks are being put in or taken out.
- M.6. A permanent notice bearing the words "NO SMOKING OR NAKED LIGHTS" in fifty mm. red block lettering on a white background must be conspicuously displayed adjacent to the store.
- M.7. Where the maximum quantity of fireworks does not exceed 225 kg these may be stored in substantial receptacles (whether or not a fireproof safe) inside a dwelling house or other building.
- M.8. Each receptacle must be capable of being secured and should not contain more than 45 kg of fireworks.
- M.9. A substantial receptacle may consist of an iron or steel trunk box, a wooden box, a cupboard or drawer, suitably indicated.
- M.10. Such storage receptacles must be used exclusively for the storage of fireworks and be isolated from other goods.
- M.11. Not more than 45 kg of fireworks may be kept in any room in which fireworks are sold to the public or to which the public have access.

M.12. Where fireworks are to be stored in a shop, they may be kept in a cupboard or drawer or similar receptacle.

M.13. Where fireworks are displayed in a shop, they may be kept in a showcase, provided the showcase is not situated in the window.

M.14. Where a receptacle is so situated in a shop as not to be readily accessible to mischievous persons, it need not be locked, provided it is kept closed, except when fireworks are being placed or withdrawn therefrom.

M.15. There shall be no general display of fireworks in the shop window.

M.16. Smoking is not to be permitted within the immediate area being used for the sale or storage of fireworks in a shop.

M.17. A notice bearing the words "NO SMOKING" in fifty mm. red block lettering on a white background must be conspicuously displayed in the fireworks sales area of the shop and/or adjacent to the storage area.

M.18. Fireworks shall not be sold to a child who appears to be under the age of 16 years.

M.19. The quantity of fireworks which may be conveyed in mechanical vehicles is limited to:-

Commercial vehicle	450 kg
Private vehicle	45 kg
Public transport	Nil

M.20. Where it is required to convey larger quantities than those set out above in one vehicle, then special arrangements must be made in consultation with the Chief Officer of the States of Jersey Fire & Rescue Service.

M.21. All due precautions must be taken by the licensee to prevent unauthorised persons having access to the fireworks and to prevent any act from being committed which is likely to cause a fire or explosion.

M.22. If any accident by fire or explosion should occur in or about the premises where fireworks are stored, then such accident must be reported immediately to the Chief Officer of the States of Jersey Fire & Rescue Service.

M.23. This licence is not transferable.

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**

**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**

**PARTICULARS TO BE FURNISHED BY AN APPLICANT FOR A FIREWORKS**

**RETAIL SALE LICENCE**

- N.1. Full name of applicant:
- N.2. Place of residence and business of applicant:
- N.3. Quantities by weight and description of fireworks in possession at the date of application:
- N.4. Quantities by weight and description of fireworks for which a retail sale licence is required:
- N.5. Purpose for which the fireworks will be used:
- N.6. Address and details of storage arrangements:
- N.7. Period for which the licence is required:
- N.8. Name and address of importer from whom the fireworks will be obtained:

Date: ..... Signature: .....

**APPLICATION TO BE SUBMITTED IN DUPLICATE**

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**  
**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**  
**MAGAZINE INSPECTION CHECK LIST**

1. Check that the Code of Requirements has been read by the licensee and by the appropriate persons specified in the licensing conditions and that they understand their responsibilities including the storage, type and category limitations placed on the magazine.
2. Check the magazine register with special reference to:-
  - a. Its security and where it is kept
  - b. Running totals of each commodity
  - c. Receipts from whom and how registered
  - d. Issues to whom and how registered
  - e. Recording of checks by an appropriate person
  - f. Method of reporting any discrepancies
3. Check that a copy of the magazine licence is kept in the magazine itself.
4. Where appropriate, check the condition of the magazine lightning conductor.
5. Check that the interior and lining of the magazine is in good repair.
6. Check that the floor of the magazine is clean and that over-shoes are held therein for use by the shot firer.
7. Check that only the appropriate type of tools are used in the magazine.
8. Ensure that warning notices are posted adjacent to the magazine.
9. Obtain an assurance from the licensee and the appropriate persons that they have read the licensing conditions appertaining to the movement of explosives by road.

10. Check that the procedure to be adopted following an accident involving explosives is understood.
11. Check the general condition of the packages together with the explosives contained therein and, where appropriate, check the package date against the shelf-life specified by the manufacturer.
12. Check the general condition of the magazine locks and keys.
13. Collect completed application form for Magazine, Store and Use Licence.

**STATES OF JERSEY HOME AFFAIRS COMMITTEE**

**THE EXPLOSIVES (JERSEY) LAW, 1970, AS AMENDED**

**BLASTING OBSERVATIONS REPORT**

1. Date and site of blasting operations .....  
.....
2. Exact position of charges in relation to the site .....  
.....
3. Total weight of charge .....
4. Type of explosive being used .....
5. Estimated time of firing .....
6. Actual time of firing .....
7. Application of safety precautions (e.g. siren, barriers, red flags, etc.) .....  
.....
8. Your position in relation to the blast .....  
.....
9. Weather at time of blast .....
10. Rock throw, if any – complete sub-paras below and inform Explosives Licensing  
Officer/Explosives Ordnance Disposal Officer immediately on return to Police  
Headquarters.
  - a. Approximate size of rocks .....
  - b. Approximate distance of rocks thrown .....
  - c. Approximate weight of rocks thrown .....
  - d. Damage done .....
  - e. Persons injured .....

11. Additional remarks, if any (vibration, noise level etc.) .....

.....

Name and signature of Officer attending blasting operations

.....

Forward copy to Explosives Licensing Officer, Police Headquarters.