



ANNO DECIMO SEPTIMO

ELIZABETHAE II REGINAE

A.D. 1968

No. 61 of 1968

An Act to amend the Explosives Act, 1936-1966.

[Assented to 23rd December, 1968.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows :

1. (1) This Act may be cited as the "Explosives Act Amendment Act, 1968". Short title.

(2) The Explosives Act, 1936-1966, as amended by this Act, may be cited as the "Explosives Act, 1936-1968".

(3) The Explosives Act, 1936-1966, is hereinafter referred to as "the principal Act".

2. Section 4 of the principal Act is amended by inserting after the definition of "inspector" the following definitions :— Amendment of principal Act, s. 4— Interpretation.

"licensed magazine" means a magazine in respect of which a licence is in force under section 21 of this Act :

"licensed premises" means premises in respect of which a licence is in force under section 22 of this Act .:

3. Section 21 of the principal Act is amended—

(a) by striking out the passage "building which is approved by him as suitable with regard to its situation and external and internal construction for the safe custody of explosives" in subsection (1) and inserting in lieu thereof the passage "building, structure, excavation or place that he approves as suitable for the safe storage of explosives" ;

Amendment of principal Act, s. 21— Licensing of private magazines.

(b) by striking out subsections (2) and (3) and inserting in lieu thereof the following subsections :—

(2) The chief inspector shall issue to, and in the name of, the owner or person in charge of any building, structure, excavation or place licensed as a magazine under subsection (1) of this section a licence in respect of that building, structure, excavation or place.

(3) The licence shall be valid only for the person named therein, and shall be subject to such conditions in relation to—

(a) the quantity and nature of the explosives to be stored in the magazine at any one time ;

and

(b) the measures and precautions to be taken for, or in relation to, the safety and security of any person or property, and to ensure that the magazine is kept properly maintained and repaired,

as may be prescribed, and as the chief inspector may think fit to add, and specifies in the licence. ;

and

(c) by striking out the passage “If any wilful neglect of the provisions of this Act occurs on the part of any person licensed as aforesaid” in subsection (4) and inserting in lieu thereof the passage “If a person in whose name a licence is issued under this section contravenes, or fails to comply with, any provision of this Act, or any condition of the licence”.

Amendment of
principal Act,
s. 22—
Licensing of
premises.

4. Subsection (3) of section 22 of the principal Act is amended by striking out the passage “If any wilful neglect of the provisions of this Act occurs on the part of any person licensed as aforesaid” and inserting in lieu thereof the passage “If a person licensed under this section contravenes, or fails to comply with, any provision of this Act, or any condition of the licence”.

Amendment of
principal Act,
s. 31—
Ships carrying
explosives.

5. Subsection (2) of section 31 of the principal Act is amended by striking out the passage “into such magazine or magazines” and inserting in lieu thereof the passage “and forthwith convey them, or cause them to be conveyed into such magazine or magazines, or licensed premises.”.

- 6.** Section 32 of the principal Act is amended—
- Amendment of principal Act, s. 32—
Procedure at magazine.
- (a) by striking out the passage “so appointed as aforesaid, the magazine-keeper” in subsection (1) and inserting in lieu thereof the passage “, licensed magazine, or licensed premises appointed by the chief inspector under section 31 of this Act, the magazine-keeper, or person in charge of the licensed magazine or licensed premises” ;
- and
- (b) by inserting after the passage “magazine-keeper” wherever it occurs in subsection (2) the passage “or the person in charge of the licensed magazine or licensed premises”.
- 7.** Section 33 of the principal Act is amended—
- Amendment of principal Act, s. 33—
Explosives to be reported on arrival.
- (a) by striking out the passage “in gunpowder or five pounds in weight of any other explosive on board the ship shall, previously to the landing of the explosives for the purpose of being deposited in a Government or licensed magazine or magazines, report the” in subsection (1) and inserting in lieu thereof the passage “of gunpowder or five pounds in weight of any other explosive on board the ship, shall give the prescribed notice of intention to land the” ;
- and
- (b) by striking out the passage “or licensed magazine” in subsection (2) and inserting in lieu thereof the passage “licensed magazine, or licensed premises”.
- 8.** Subsection (1) of section 40 of the principal Act is amended by striking out the passage “, except the powers given by section 31”.
- Amendment of principal Act, s. 40—
Power to delegate authority.
- 9.** Section 52 of the principal Act is amended by inserting after paragraph XXIII the following paragraph :—
- Amendment of principal Act, s. 52—
Regulations.
- XXIII. Prescribing the form of the notice to be given by the master of a ship under section 33 of this Act and the manner in which it is to be given .
- 10.** The provisions of the principal Act mentioned in the first column of the Schedule to this Act are respectively amended in the manner shown in the second column of that Schedule.
- Amendment of principal Act—
Decimal Currency.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

J. W. HARRISON, Governor.

SCHEDULE

First Column. Provision amended.	Second Column. How amended.
Section 12, subsection (3)	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Section 16, subsection (2) ...	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Section 18	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Section 19, subsection (1) ...	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Section 21, subsection (4) ...	By striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".
Section 22, subsection (3) ...	By striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".
Section 23, subsection (3) ...	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Section 27, subsection (3) ...	By striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".
Section 29, subsection (3) ...	By striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".
Section 31, subsection (4) ...	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Section 35, subsection (3) ...	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Section 36, subsection (2) ...	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Section 37, subsection (3) ...	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Section 38, subsection (2) ...	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Section 39, subsection (2) ...	By striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".
Section 43	By striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".
Section 44	By striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".
Section 48, subsection (3)— Paragraph (b)	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".
Paragraph (c)	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".

First Column. Provision amended.	Second Column. How amended.
Section 50— Subsection (1)	By striking out the passage "five pounds" and inserting in lieu thereof the passage "ten dollars".
Subsection (2)	By striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".
Section 52, paragraph xxiv ..	By striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".