

Section 16

- (1) No explosive shall be carried in or on or by means of any vehicle or any railway unless -
 - (a) the quantity of the explosive does not exceed the prescribed quantity of any explosive; and
 - (b) the explosive is carried in such a manner and under such conditions as may be prescribed by any regulation under this Act.
- (2) Any person who carries an explosive or causes an explosive to be carried in contravention of this section is guilty of an offence.

Penalty;

- (a) in the case of a body corporate - \$35,000
- (b) in any case - \$5,000 or 12 month imprisonment, or both.

Section 19

- (1) A person other than a carrier licensed by the Director, who carries in a vehicle any explosive in excess of the prescribed quantity of any explosive is guilty of an offence.

Penalty;

- (a) in the case of a body corporate - \$35,000
- (b) in any case - \$5,000 or 12 month imprisonment, or both.

- (2) A licence may be granted by the Director to any person for the carriage of explosives by land.

Regulations

7.02

- (1) Subject to this regulation, a person shall not carry in or on a vehicle, by land, a quantity of gunpowder exceeding 15 kilograms, or a quantity of any other explosive exceeding 3 kilograms, unless the owner of the vehicle in which the explosives are conveyed holds a licence, issued to him by the Chief Inspector pursuant to the provisions of this Part, in respect of the carriage of that explosive in that vehicle.
- (2) For the purpose of this Part the equivalent mass of any detonators being carried shall be determined in accordance with Schedule L and the mass of explosives such as detonating cord, shaped charges, boosters and primers shall be calculated as the mass of the contained explosive compositions.
- (3) A licence shall not be required for the carriage in a vehicle by land of any quantity of explosives of Classification Code 1.3G, 1.4G or 1.4S

7.03 An application for a licence for the carriage of explosives in a vehicle shall be -

- (a) made in writing to the Chief Inspector by the owner of that vehicle;
- (b) in the form prescribed in Schedule M to these regulations; and
- (c) accompanied by the prescribed fee.

7.04

- (1) The Chief Inspector may refuse a licence for the carriage of explosives or may require the applicant to fulfil conditions specified by the Chief Inspector prior to the grant of a licence or may grant the licence subject to conditions inserted therein by the Chief Inspector. Those inserted conditions shall be complied with in all respects by the licensee.
- (2) A licence may be granted only to the owner of the vehicle in which explosives are to be carried, and shall be valid only for the owner to whom it is issued, for the vehicle specified and for the quantity of explosive stated.
- (3) A licence shall not be transferable and shall be subject to these regulations, the due performance of which by all concerned shall be deemed a condition upon which the licence is issued.

- (4) The Chief Inspector may include in a licence any condition that he deems necessary or desirable in the interests or for the purpose of the safety of the community.
- (5) A licence shall continue in force for a period of twelve months commencing on the first day of the month in which the licence is issued but may be renewed for a period of twelve months by payment of the prescribed fee whilst the licence is current.

NOTE: 1 000 No 6 Detonators are considered equivalent to 9 kilograms of explosive, 1 000 No 8 Detonators are considered equivalent to 16 kilograms of explosive.