

CONDOMINIUM DES NOUVELLES-HEBRIDES

NEW HEBRIDES CONDOMINIUM

ARRETE CONJOINT 3 de 1928

JOINT REGULATION 3 of 1928

JOINT REGULATION

No. 3 of 1928.

control the storage and sale of explosives.

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1. In this Regulation the term explosive shall mean gunpowder, blasting powder, dynamite, nitro-glycerine, gun cotton, fulminate of mercury and every other substance not specified, used with a view to produce an effect by explosions.

Includes also detonators, fuse and every accessory composed of a detonating or inflammable substance used to produce explosions and includes crackers and rockets.

Interpretation.

2. No explosive shall be imported into the New Hebrides and delivered to any person except under the conditions authorised by the provisions of Joint Regulations of the 2nd August [and 27th October 1917.]

Importation of explosives. Repealed by J.R. 6 of 1956.

3. The Master of any vessel carrying explosives shall notify the Collector of Customs immediately on his arrival at the Port of the place.

Master to notify Collector.

4. Every merchant notified of the arrival of explosives consigned to his address shall immediately advise the Collector of Customs from whom he will receive instructions regarding the date and hour of removal. An Officer of the Customs shall proceed on board the vessel and shall satisfy himself that the ship's manifest and the quantity consigned is in order, and the disembarkation, and immediate transport without interruption in transit, and entry into the magazine shall be carried on in his presence at all hours.

Consignees to notify Customs Officer to board vessel.

Transport for the disembarkation and removal of explosive shall be supplied by the consignee.

Consignee to provide transport.

Any vessel or vehicle employed in disembarking or transport of explosives shall carry a red flag. The transport of any other merchandise with such explosive is forbidden.

Red flag to be flown.

5. In the absence of a Government Magazine, private magazines shall be permitted under the following conditions:

Construction of Private Magazines.

The magazines shall be built of non inflammable material, that is to say, cement, coral, brick, or stone.

They shall be partitioned so as to separate distinctly any explosive, accessory or inflammable substance which would constitute a danger by proximity to one another.

The roof shall be made of sheet iron and the frame work shall be of metal and a ventilator shall be provided to permit a free circulation of air.

They shall be provided with metal doors, bronze or copper

keys and two different bronze or copper locks. One of the keys of the locks shall be in the possession of a Customs Officer and the other with the owner of the magazine.

No magazine shall be built at a distance of less than 219 yards (200 metres) from any dwelling place.

Distance from dwelling houses.

The construction of any magazine under the provisions of this Regulation shall be preceded by a commission of enquiry as to the suitability of the site selected.

No magazine shall be used for the storage of explosives until a written decision has been issued by the Resident Commissioners on a report made by the Public Works Department.

Magazine to be passed by Resident Commissioners.

Every magazine at all times shall fly a red flag. A night watchman shall be employed to guard the magazine.

Night watchman to be employed.

5. The storage and withdrawal from the magazines, of explosives imported under the provisions of Article 2, shall take place in the presence of a Customs Officer, and the removal of such explosives shall take place in accordance with the provisions of Article 4.

Storage and withdrawal.

7. The storage of explosives in any shop or bulk store is absolutely forbidden. The supply of explosive to any person shall be made from the magazine which shall be open for this purpose on Wednesday, Thursday and Saturday of each week, from 9 to 10 o'clock.

Explosives not to be stored in shops etc.

8. No permission for the importation of explosives shall be given except to owners of authorised magazines.

Owners provided with magazines can import.

9. The supply of explosive to any person shall only be made on the production of a special permit issued by the Resident Commissioner concerned and shall be limited to 13 lbs. (6 kilos) of dynamite, 44 lbs. (20 kilos) of gunpowder or blasting powder, 200 detonators; plus such accessories necessary for the detonation of the quantities specified above, 500 rockets or crackers.

Permit for supply of explosive. Maximum quantities.

The permit mentioned hereinbefore shall only be issued for the immediate use of the quantity supplied and no explosive shall be stored in any place whatsoever except in accordance with the provisions of Article 5.

Explosives to be used immediately.

This restriction regarding quantities shall not apply to possessors of magazines as laid down in Article 5.

Storage of fireworks on fete days.

On special occasions such as fete days the storage of rockets and crackers in shops may be authorised for short periods.

10. The supervision of the Customs Department, as provided in Article 4, 5 and 6 of this Regulation, shall only apply to the administrative posts where an Officer of Customs resides.

Customs supervision.

11. A Board composed of three members shall be nominated annually by the Resident Commissioners for the purpose of making a monthly inspection of the explosives stores in the magazine, and upon which a report shall be furnished.

Board to inspect magazines.

The destruction of explosives whose deterioration constitutes a danger shall be carried out by sinking in deep water outside the limits of the Port of Vila by the person having deposited the same, and in the presence of the President of the Board and the Collector of Customs.

Destruction of explosives.

Every merchant having knowledge of the deterioration of any explosive deposited by him shall immediately report the fact to the Resident Commissioner concerned, who shall at once convene the Board for the destruction of such explosive.

Merchants to report.

12. Breaches of the present regulation shall be justiciable by the Joint Court and shall be punished by a fine not exceeding £20 (500 frs.) and to imprisonment not exceeding one month, or to one or other of those penalties.

Penalties.

13. The provisions of Joint Regulations of the 2nd August and 27th October, 1917, where contrary to the terms of the present Regulation are hereby repealed.

Regulations repealed.

14. This Regulation shall come into force on the date of publication and may be cited for all purposes as the New Hebrides Storage of Explosives Regulation No. 3 of 1928.

Date of coming into force.  
Short title.

Published and exhibited in the public offices of the Resident Commissioners for his Britannic Majesty and for the French Republic in the New Hebrides this 26th day of September, 1928.

H. D'ARBOUSSIER  
The Resident Commissioner  
for the French Republic.

GEO. A. JOY  
His Britannic Majesty's Acting  
Resident Commissioner.