

Transport Generally

6.1

6.1.1 No person shall sell to or buy from any other person any explosive or transfer or cause or permit the transfer of any such explosive from one place to another within the Republic except under a permit issued by or under the authority of an inspector and subject to the conditions of that permit: Provided always that no such permit shall be necessary for the transfer of such explosive from the magazine to the adjacent workings operated by the owner of the magazine. (For the purposes of this regulation, a Municipal, Divisional Council or similar area shall not be considered as one works.)

6.1.2 "Shop goods" fireworks shall be exempt from the provisions of this Chapter, except regulations 6.6, 6.6A, 6.7, 6.9 and 6.16.1.

6.1.3 Notwithstanding anything to the contrary contained in regulation 6.1.1 of these regulations, a person who is the holder of a valid firearm licence issued in terms of the Arms and Ammunition Act, 1969, may on production of such licence obtain 500 grams of nitrocellulose propellants. For this purpose such valid firearm licence shall be deemed to be a permit issued in terms of [section 7\(5\)](#) of the Explosives Act, No. 26 of 1956, and regulation 6.1.1 of those regulations.

6.1.4 Any person who obtains nitrocellulose propellants under the exception contained in regulation 6.1.3. shall, at the time of such acquisition, furnish the supplier with a certificate declaring the purpose for which the propellant is to be used and giving his own full name and residential address, his identity number, and the number, place of issue and date of issue of the firearm licence. The number of the firearm licence shall be quoted on the way-bill/invoice.

6.1.5 Notwithstanding anything to the contrary contained in regulation 6.1.1 of these regulations, a person who is the holder of a valid dealer's licence issued in terms of the Arms and Ammunition Act, 1969, may on production of such licence or certified copy thereof obtain 50 kilograms of nitrocellulose propellants. For this purpose such valid dealer's licence shall be deemed to be a permit issued in terms of section 7(5) of the Explosives Act, No. 26 of 1956, and regulation 6.1.1 of these regulations. The number of the dealer's licence shall be quoted on the way-bill/invoice.

6.2

6.2.1 When applying for a permit the applicant shall state--

- a) the quantity and nature of the explosives he wishes to purchase;
- b) the name and address of the person or concern from whom he wishes to make the purchase;
- c) the purpose for which the explosives are to be used;
- d) the address of the place where the explosives are to be used;
- e) the date on which the explosives are to be despatched;
- f) the mode of transport to be used for conveying the explosives; and
- g) the distance involved.

Permits shall be made available for a reasonable period to allow of the explosives reaching their destinations within that period, but, except as provided in regulation 6.3, a permit shall be available for one consignment of explosives only, which shall be taken in one load.

6.3 Regular users of explosives procuring their supplies from sources within the Republic may be issued with "continuous" permits.

6.3A

6.3A.1 If at any time the holder of a permit issued in terms of the regulations of this Chapter is, in the opinion of an inspector, guilty of a contravention of any of the explosives regulations, or of any misconduct, such inspector may immediately suspend or cancel such permit.

6.3A.2 In the event of the holder of the permit being dissatisfied with the action of the inspector, he may within 14 days appeal against the suspension or cancellation to the Chief Inspector of Explosives, whose decision after investigation shall be final.

6.4 The permit shall accompany the consignment throughout the whole journey, except that in the case of a continuous permit, the number thereof shall be quoted on the way-bill.

6.5 The consignee, on receipt of the explosives, shall immediately advise the Chief Inspector of Explosives and any discrepancy or defect in the consignment shall be notified to him at the same time.

6.6 No person shall transmit explosives of any description or in any quantity whatsoever through the post.

6.6A No person shall convey or cause or permit to be conveyed any explosive by air, except with the written permission of an inspector and under conditions prescribed by him.

6.7 No person shall convey or cause or permit to be conveyed on any public road, path or railway any explosive not packed and marked in accordance with the provisions of [Chapter 3](#) of these regulations.

6.8

6.8.1 The person responsible for the conveyance of explosives shall--

- a) when the explosives are being loaded personally count the number of packages loaded on to the vehicle and endorse this number on the way-bill;
- b) ensure that the correct grade, size, type, length, packing, etc., of explosives as specified on the way-bill is loaded;
- c) ensure that the vehicle proceeds with all due diligence at all times to its proper destination; and
- d) on arrival at the destination, personally count the number of packets off-loaded and endorse this number on the way-bill.

6.8.2 When explosives that are being conveyed reach the final destination, the owner of the explosives or his agent shall ensure that the explosives are placed without delay in a magazine or place of storage licensed under these regulations or else are put to immediate use.

6.9 For the purpose of conveyance, explosives shall be divided into groups indicated by numbers. In the list of authorized explosives published in the Government Gazette from time to time the group number of every authorised explosive shall be indicated. Explosives belonging to different groups shall not be loaded together on to the same vehicle except as hereunder:

- a) Transport groups 1, 2, 3 and 4 - together.
- b) Transport groups 5, 6, 7 and 8 - together.

- c)Transport group 7A - alone.
- d)Transport groups 9 and 11 - together.
- e)Transport groups 6A and 10 - together.
- f)Transport group 12 - alone.
- g)Transport group 13 - alone.
- h)Transport group 15 - alone.
- i)Transport group 16 - alone.
- j)Transport group 17 - alone.
- k)Transport group 18 - alone.

Transport by Rail

6.10The General Manager of the South African Railways and Harbours may appoint fixed days for the acceptance of explosives.

6.11Explosives shall be loaded or unloaded only at points approved by the General Manager of the South African Railways and Harbours or at a private siding.

6.12The consignor may be required to give to the officer-in-charge of the forwarding station at least 24 hours' notice of the proposed dispatch of explosives.

6.13

6.13.1Prior to despatch, the consignor shall hand to the officer-in-charge of the station the transport permit together with a declaration form stating--

a)the exact quantity and description of the explosives; and

b)that the consignee has been advised of the proposed dispatch of the consignment:

Provided that, in the case of a continuous permit, it shall not be necessary to hand the permit to the officer-in-charge of the station, but the number thereof shall be quoted on the consignment note and declaration form.

6.13.2The officer-in-charge of the station shall not accept for despatch greater quantities of explosive than those covered by the permit, whether such permit be a continuous permit or otherwise.

6.14The consignor shall advise the consignee of the proposed dispatch of explosives and request him to make arrangements to take delivery as expeditiously as possible.

6.15Trucks loaded with explosives from different groups shall not be conveyed together on the same train, except as hereunder:

a)Transport groups: 1, 2, 3, 4, 5, 6, 7, 7A, 8, 9, 11, 12, 13 and 15 - together.

b)Transport groups: 6A and 10 - together.

c)Transport group: 16 - alone.

d)Transport group: 17 - alone.

e)Transport group: 18 - alone.

6.16

6.16.1 No person shall take any explosive in a passenger coach of a train except as provided in regulation 6.37 of this Chapter.

6.16.2 Explosives may be conveyed by rail as follows:

a) By a special explosives train;

b) by ordinary goods train in quantities not exceeding 110 metric tons gross mass; or

c) by mixed train (i.e. a train carrying passengers and goods) in quantities not exceeding 10 metric tons gross mass on sections of lines where there are no ordinary goods trains.

6.17 Trucks containing explosives conveyed by special explosives train or ordinary goods train shall be placed as near the centre of the train as possible, and in all cases, except with the consent of and under conditions prescribed in writing by an inspector at least three short trucks or two bogies shall intervene between the engine and any truck containing explosives and also between the guard's van and any truck containing explosives. In shunting operations and on private sidings, the intervening trucks referred to may be reduced to two short trucks or one bogie. No such intervening trucks shall be necessary within the danger area of an explosives factory.

6.18 Trucks containing explosives conveyed by a mixed train shall, except with the consent of and under conditions prescribed, in writing, by an inspector, be separated from the engine and from any passenger coach by at least three short trucks or two bogies.

6.19 Trucks containing explosives shall not be marshalled next to trucks containing lime, forage, heavy machinery, projecting timber, rails, telegraph poles, inflammable materials, acids, chemicals, compressed gases, fireworks, matches, substances liable to spontaneous combustion and other similar dangerous articles. Except with the permission, in writing, of an inspector, trucks conveying explosives shall not be placed on the same train as petrol tank trucks (loaded or empty).

6.20 Trucks containing explosives shall not form part of a "combined" train.

6.21 Trucks containing explosives shall be shunted, marshalled or coupled with the utmost caution. Such trucks shall not be detached from a train until the train has been brought to a dead stop. Loose or fly shunting shall be strictly prohibited.

6.22 Except in cases of emergency, trucks may be loaded with explosives only under the supervision of the station master or his authorised deputy. Access to trucks shall be allowed only to persons necessarily engaged in the process of loading, and, as soon as a truck is loaded, it shall be securely closed and set apart.

6.23 Explosives shall be conveyed only in a truck which is completely closed in, locked and in good condition in every respect. Truck, being loaded with explosives, shall be carefully swept out, and, if necessary washed out and dried. All exposed iron and steel inside a truck shall be covered with wood, cloth or other suitable material, or the cases of explosives shall be completely enveloped in a covering such as will prevent cases coming into contact with any metal.

6.24 Every truck conveying explosives shall have the word "Explosives", in both official languages, displayed in conspicuous characters on the sides. Every special explosives truck shall be marked with

the mass of explosives the truck is authorised to carry. Every other truck shall be marked with its mass carrying capacity.

6.25 No person shall load or unload explosives or cause or allow them to be loaded or unloaded, within 30 metres of a fire, naked light or flame, nor shall any person light a fire or bring a naked light or flame nearer than 30 metres to a truck which is loaded with explosives, or into which explosives are being loaded or unloaded.

6.26 No person shall load or unload a truck with explosives between the hours of sunset and sunrise.

6.27 No person shall smoke within 30 metres of a place where explosives are being loaded or unloaded into a truck nor shall any person engaged in handling explosives at such a place carry matches or any other means of producing ignition, or wear boots or shoes with steel or iron heels, tips or exposed nails of any kind.

6.28

6.28.1 Explosives, except "shop goods" fireworks, and nitrocellulose propellants packed in sealed metal containers with a maximum capacity of 500 grams each and packed in outside containers of not more than 5 kilograms and not exceeding a total mass of 50 kilograms, gunpowder packed in sealed metal containers with a maximum capacity of 500 grams each and packed in outside containers of not more than one kilogram and not exceeding a total mass of one kilogram, and railway detonators (also known as fog signals) shall not be stowed in the same truck with other goods.

6.28.2 No goods other than explosives shall be conveyed on a special explosives train.

6.29 No person shall load any special explosives truck beyond the mass marked thereon, nor shall any other truck containing explosives be loaded beyond 75 per cent of the mass-carrying capacity marked thereon.

6.30 Trains conveying explosives shall be despatched without avoidable delay. An explosives train shall be given, subject to the necessary detention for examination, a through schedule to its destination. So far as is practicable, the composition of special explosives trains shall not be altered en route.

6.31

6.31.1 At the destination by rail of a consignment of explosives, the officer-in-charge shall, as soon as possible, notify the consignee of the expected or actual arrival of the consignment and shall call upon him to take delivery of and remove the consignment without delay.

6.31.2 In the event of the officer-in-charge being unable to contact the consignee or the consignee failing to take delivery without delay after being advised of the arrival of the consignment, the officer shall report the facts by telegram to the Chief Inspector of Explosives, telegraphic address "Detonators", Johannesburg, who shall give instructions regarding the disposal of the explosives.

6.31.3 Whenever it may appear to an inspector to be necessary for the security of explosives conveyed by rail, the consignor, the consignee or the General Manager of the South African Railways

and Harbours, as the case may be, shall, on the request of the inspector, place a watchman or watchmen on guard over trucks containing explosives.

6.32

6.32.1 During the time explosives are on railway premises awaiting despatch or removal, the officer-in-charge, or his authorised deputy, shall take every precaution to ensure safety and shall place trucks containing explosives in as safe a place as possible.

6.32.2 Explosives shall not be stored in a goods shed or in any other building but shall be kept in the truck in which they have arrived or in the truck in which they are to be conveyed to a further destination.

6.33

6.33.1 Explosives shall be off-loaded only at the destination or transshipping station, except in case of emergency. Where explosives are off-loaded at a railway siding or stopping place, this shall be done under the supervision of the guard of the train. The supervising official shall satisfy himself that the correct consignments are offloaded and that any explosives remaining in a truck are properly stowed and secured.

6.33.2 Where explosives are unloaded at a private siding the consignee or his magazine master shall supervise the unloading, comply with the relevant regulations, and ensure that the correct consignment is removed from the truck. Should there be any explosives remaining for any other destination, these are required to be properly stowed and secured immediately by the consignee of the explosives just removed or by his magazine master. The truck shall then be sealed in a manner approved by the South African Railways Administration.

6.33.3 Explosives shall be stowed in trucks in such a manner as to prevent any displacement of the packages in transit and shall be loaded and secured in such a manner as will prevent their falling out when the truck doors are opened. All layers (including the uppermost one if practicable) shall be complete, and the uppermost one, if not complete, shall be secured in such a manner as will prevent any displacement of the packages.

6.34 No person, except an inspector or a person duly authorised by him, whether acting on behalf of the customs authorities or otherwise, shall open any package of explosives at a railway station.

6.35

6.35.1 Except as provided below, no passenger shall travel by a train conveying more than 10 metric tons gross mass of explosives save in cases of emergency and with the written authority of the General Manager or a System Manager of the South African Railways and Harbours, or of the officer-in-charge of a station. Such written authority shall be handed to the guard of the train who shall hand it to his relief or attach it to his journal and hand it in at his destination station, as the case may be.

6.35.2 Railway servants, postal telegraph and telephone electricians travelling on duty, and attendants accompanying livestock, may be allowed to travel on a train conveying explosives, without the above-mentioned authority.

6.35.3 Any passenger allowed to travel by a train conveying explosives shall occupy the seat allotted to him by the guard.

6.35.4 Any person who, while travelling by a train conveying explosives, commits or attempts to commit any act liable to affect the safe working of the train, shall be guilty of an offence and shall forthwith be removed from the train by the guard.

6.36 An inspector may inspect consignments of explosives and the trucks or trains in which they are being conveyed, provided that in so doing he does not unnecessarily impede the traffic. An inspector may travel by any train conveying explosives. The railway officials shall give such inspector all information and assistance required.

6.37 Notwithstanding anything to the contrary in these regulations, inspectors may take with them, by any train, samples of explosives in such quantities as are reasonably necessary for the purpose of analysis, test or experiment.

Transport by Road

6.38

6.38.1 No person other than an inspector, during the course of his duties, shall transport explosives or cause or permit them to be transported in any vehicle propelled by mechanical power, unless the vehicle has been specially converted for the purpose and been licensed, in writing, by an inspector, and except in accordance with the conditions of the licence.

6.38.2 The licensee of a vehicle licensed in terms of regulation 6.38.1 shall send the following documents to the Chief Inspector of Explosives, P.O. Box 4570, Johannesburg, during September each year:

a) A certificate of condition worded as follows:

"CERTIFICATE OF CONDITION

I, being a qualified *motor mechanic/mechanical engineer, hereby certify that I personally examined vehicle and that the vehicle and all its equipment are now in thoroughly good condition.

Date

Signature

Designation

Address

To be countersigned by the owner or manager of the Company owning the vehicle.

Date

Signature

Designation

Name of Company.....

*Delete whichever does not apply."

b) A certificate worded as follows:

"I,, hereby certify that I have checked from time to time and found that the person/s placed in charge of vehicles was/were fully acquainted with Chapter 6 of the Explosives Regulations and the conditions of the licence. I also found that he/they complied with these regulations and conditions."

c) The "Monthly Examination Sheet" which shall be kept as follows:

"MONTHLY EXAMINATIONS SHEET

The vehicle and all its equipment must be examined by a qualified motor mechanic in the first week of each month, and the result of the examination must be recorded on a separate sheet of paper in the manner as shown below. The examination must be made whether explosives have been carried in the vehicle during the month or not.

N.B. - If at any time repairs to the vehicle are considered necessary, the repairs must be carried out immediately and the vehicle may not be used until this has been done.

Date	Signature and designation	Result of examination	Repairs and renewals effected and date when done"
.....

6.38.3 Fireworks (including signal rockets and other pyrotechnic devices used for signalling or life-saving), fuse heads, fuse igniters and safety fuses are exempted from this and the following regulations of this chapter, except that they may not be conveyed with other explosives unless the written permission of an inspector is obtained.

6.39

6.39.1 No person shall transport explosives or cause or permit them to be transported by pack animal, hand-propelled and animal-drawn vehicle, except with the permission, in writing, of an inspector and except in accordance with the conditions of the permit.

6.39.2 An inspector may, at his discretion, refuse to allow the use of pack animals, hand-propelled and animal-drawn vehicles for the conveyance of explosives.

6.39.3 The conveyance of explosives by bicycle is prohibited.

6.40 Except with the special permission, in writing, of an inspector, no explosive shall be conveyed on the same vehicle with goods of a dangerous character such as inflammable materials, acids, chemicals, compressed gases, forage, matches, substances liable to spontaneous combustion, waste, machinery or parts thereof, metal implements such as tools, ploughshares, iron standards and the like or any materials having exposed iron or steel.

6.41 No person shall load or unload explosives or cause or permit them to be loaded or unloaded within 30 metres of a fire, naked light or flame, nor shall any person light a fire or bring a naked light or flame within that distance of a vehicle which is loaded or being loaded with explosives or from which explosives are being unloaded.

6.42 No person shall smoke within 30 metres of where explosives are being loaded on to, or unloaded from, a vehicle, or within 5 metres of a loaded vehicle on which the explosives have been suitably covered, nor shall any person who is engaged in handling the explosives, or who travels on the vehicle, carry matches or any other means of producing ignition, or wear boots or shoes with steel or iron heels, tips or exposed nails of any kind.

6.43

6.43.1 The owner of the explosives or his deputy shall ensure that every consignment of explosives is, throughout the whole journey, under the constant supervision of a trustworthy person whose name

shall be recorded on the way-bill. Under no circumstances shall a consignment of explosives be left unattended. The person in charge of the consignment shall be responsible for its safety in transit and for the due observance of these regulations.

6.43.2 The person in charge of the magazine or other places of storage from which the explosives have been removed shall be responsible for the loading of the vehicle and shall ensure that explosives are loaded only on a vehicle which is in good order as required by these regulations and that the loading of the explosives thereon is done in accordance with these regulations.

6.44 No person shall use or cause or permit to be used a vehicle for the conveyance of explosives unless the vehicle is in serviceable condition.

6.45

6.45.1 Persons conveying explosives shall avoid towns and villages as far as practicable and it shall be lawful for any local authority to prescribe the route by which explosives shall be conveyed within its area of jurisdiction, subject to reasonable facilities being given for reaching any required destination.

6.45.2 Should it be necessary to halt during a night on a journey, this shall be done at least 500 metres from inhabited buildings and 200 metres from a public road and the person in charge shall keep a constant watch over the explosives.

6.45.3 No person shall use a radio transmitter, which is fitted or transported in a vehicle in which explosives are conveyed, during the conveyance of electric detonators unless such detonators are packed in the original packing in which they were received from the manufacturers.

6.46 During a thunderstorm, vehicles carrying explosives shall be halted off the road at least 500 metres from inhabited buildings.

6.47 Explosives shall not be unloaded from a vehicle en route except in the event of a breakdown of the vehicle. Should it be absolutely necessary to unload the whole or part of a consignment of explosives en route, all possible care shall be taken to protect the explosives from fire, shock and damp. On no account shall such explosives be placed near inhabited buildings, and the person in charge shall warn persons against loitering near the explosives. The explosives shall be reloaded and the journey shall be continued as soon as possible. The Chief Inspector of Explosives shall be notified immediately of the circumstances necessitating the unloading of the explosives en route.

6.48 An inspector may detain any vehicle conveying explosives, to ascertain whether these regulations are being complied with.

6.49 The Chief Inspector of Explosives may, in his discretion, give written exemption from any of the foregoing regulations and may prescribe, in writing, such additional conditions as he may deem necessary.

Penalty

6.50 Any person who by any act or omission commits a breach of the regulations under this Chapter, shall be guilty of an offence and liable on conviction to a fine not exceeding R300 or to imprisonment for a period not exceeding 12 months or to both such fine and such imprisonment.

