

EXPLOSIVE SUBSTANCE

THE COMPRESSED ACETYLENE ORDER, 1947.

1947 No. 805

At the Court of Saint James, the 23rd day of April, 1947.

PRESENT,

His Royal Highness The Duke of Gloucester.

Viscount Lascelles.

Lord Privy Seal.

Earl of Listowel.

Mr. Greenwood.

Lord Cooper.

Mr. Paling.

Lord Moncrieff.

Sir Frederic Wrottesley.

Whereas His Majesty, in pursuance of the Regency Acts, 1937 and 1943, was pleased, by Letters Patent dated the 24th day of January, 1947, to delegate and grant unto His Royal Highness The Duke of Gloucester, K.G., K.T., K.P., G.M.B., G.C.M.G., G.C.V.O., Her Royal Highness The Princess Royal, G.C.V.O., G.B.E., C.I., and Viscount Lascelles, or any two of them, as Counsellors of State, full power and authority during the period of His Majesty's absence from the United Kingdom to summon and hold on His Majesty's behalf His Privy Council and to signify thereat His Majesty's approval of any matter or thing to which His Majesty's approval in Council is required:

And whereas in pursuance of the provisions of section one hundred and four of the Explosives Act, 1875(a), it is by Order in Council, dated the second day of February, 1937(b), declared that acetylene, when liquid or when subject to a pressure exceeding nine pounds to the square inch above that of the atmosphere, shall, subject to an exception therein stated, be deemed to be an explosive within the meaning of the said Act:

And whereas, in pursuance of the provisions of section forty-three of the said Act, it is, by the said Order in Council, ordered that acetylene declared by that Order to be deemed to be an explosive shall be prohibited from being manufactured, kept, imported, conveyed or sold:

And whereas, in pursuance of the provisions of the said section forty-three, it is, in the said Order in Council, further provided that nothing in that Order shall apply to the manufacture or keeping of acetylene under the following conditions, that is to say:—

(a) that the pressure to which the acetylene is subjected shall not exceed twenty-two pounds to the square inch above that of the atmosphere, and

(b) that the manufacture and keeping shall be carried out only on such premises and under such conditions as may be approved by the Secretary of State:

And whereas it is provided by section eighty-three of the said Act that His Majesty may by Order in Council, from time to time, alter any previous Order in Council under the said Act:

And whereas it is expedient that the provisions of the said Order in Council made in pursuance of the said section forty-three, which set out the above recited conditions, should be altered in respect of conditions and restrictions relating to the apparatus in which acetylene is manufactured or kept, and in respect of acetylene which is being used in the production of organic compounds:

(a) 38 & 39 Vict. c. 17.

(b) S.R. & O. 1937 (No. 54) p. 729.

And whereas the provisions of section one of the Rules Publication Act, 1893(a), have been complied with:

Now, therefore, His Royal Highness The Duke of Gloucester and Viscount Lascelles, being authorised thereto by the said Letters Patent, do hereby, by and with the advice of His Majesty's Privy Council, on His Majesty's behalf order, and it is hereby ordered, as follows:—

1. For paragraph (1) of the proviso to the Order in Council made in pursuance of the provisions of section forty-three of the Explosives Act, 1875(b), and dated the second day of February, 1937(c), (which paragraph sets out the conditions under which acetylene declared as aforesaid to be deemed to be an explosive may be manufactured or kept), there shall be substituted the following paragraph:—

“(1) to the manufacture or keeping of acetylene so long as it is manufactured or kept only on such premises, in such apparatus and under such conditions as may be approved by the Secretary of State, and so long only as any apparatus in which it is so manufactured or kept is, if and whenever so required, submitted to tests carried out on his behalf, so however that—

(a) in any case where the acetylene is being used in the production of organic compounds, the pressure to which it is subjected shall not exceed three hundred pounds per square inch above that of the atmosphere, and unless the pressure to which it is subjected does not exceed twenty-two pounds per square inch above that of the atmosphere, the acetylene shall not be used in admixture with air or oxygen, and

(b) in any other case, the pressure to which it is subjected shall not exceed twenty-two pounds to the square inch above that of the atmosphere; or ”.

2. This Order may be cited as the Compressed Acetylene Order, 1947, and shall come into operation on the 24th day of April, 1947.

E. C. E. Leadbitter.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

Under the Order in Council of 2nd February, 1937, it is prohibited to manufacture, keep, import, convey or sell acetylene compressed to over nine pounds per square inch above atmospheric pressure, subject to an exception (amongst others) that acetylene at pressures of not over twenty-two pounds per square inch above atmospheric pressure may be manufactured and kept on premises, and under conditions, approved by the Secretary of State. This amendment provides that the apparatus used in the manufacture or keeping shall, whenever required, be submitted to tests carried out on behalf of the Secretary of State, and makes a further exception allowing, subject to the same conditions as to approval and tests, the use of acetylene in the production of organic compounds at pressures not over three hundred pounds per square inch above atmospheric pressure and not mixed with air or oxygen.

(a) 56 & 57 Vict. c. 66.

(b) 38 & 39 Vict. c. 17.

(c) S.R. & O. 1937 (No. 54) p. 729.