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EXPLOSIVES (AMENDMENT) LAW,

No. 14 OF 1978

OF

THE NATIONAL STATE ASSEMBLY

26433

[Certified on 18th May, 1978]

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L. D.—O 11/78

A LAW TO AMEND THE EXPLOSIVES ACT.

BE it enacted by the National State Assembly of the Republic of Sri Lanka as follows:—

1. This Law may be cited as the Explosives (Amendment) Law, No. 14 of 1978. Short title.

2. Section 2 of the Explosives Act (hereinafter referred to as the "principal enactment") is hereby repealed and the following new section substituted therefor:— Replacement of section 2 of Chapter 183.

" Controller and Deputy Controllers of Explosives.

2. (1) The Secretary to the Ministry shall be the Controller of Explosives for the purposes of this Act.

(2) Every Assistant Secretary to the Ministry shall be a Deputy Controller of Explosives for the purposes of this Act."

3. Section 3 of the principal enactment is hereby repealed and the following new section substituted therefor:— Replacement of section 3 of the principal enactment.

" Assistant Controllers of Explosives and other staff.

3. (1) There may be appointed such number of persons by name or by office, to be or to act as Assistant Controllers of Explosives, and such number of other officers and servants as may be necessary for the purposes of this Act.

(2) For the purposes of this Act there shall be inspectors of explosives who shall be police officers not below the rank of Sergeant."

4. Section 4 of the principal enactment is hereby repealed. Repeal of section 4 of the principal enactment.

5. Section 5 of the principal enactment is hereby repealed and the following new section substituted therefor:— Replacement of section 5 of the principal enactment.

" Deputy Controllers, Assistant Controllers, inspectors of explosives and licensing authorities to be subject to direction of Controller.

5. (1) Every Deputy Controller, every Assistant Controller and every inspector of explosives shall, in the exercise or performance of his powers or duties, be subject to the general or special directions of the Controller.

(2) Every licensing authority shall, in the exercise or performance of his powers or duties, be subject to the general or special directions of the Controller."

Replacement of heading in Part III of the principal enactment.

6. The heading appearing in Part III immediately before section 25 of the principal enactment is hereby repealed and the following new heading substituted therefor :—

" POWERS OF THE CONTROLLER, AND OFFENCES AND PENALTIES."

Amendment of sections 25 and 26 of the principal enactment.

7. Sections 25 and 26 of the principal enactment are hereby amended by the substitution for the words "an inspector of explosives", wherever those words occur in those sections, of the words "the Controller".

Insertion of new section 26A in the principal enactment.

8. The following new section is hereby inserted immediately after section 26, and shall have effect as section 26A, of the principal enactment:—

" Powers of the Controller.

26A. The powers of the Controller under this Act may be exercised by a Deputy Controller, Assistant Controller, inspector of explosives, or by any licensing authority within his district."

Replacement of section 31 of the principal enactment.

9. Section 31 of the principal enactment is hereby repealed and the following new section substituted therefor :—

" Controller, Deputy Controllers, Assistant Controllers and licensing authorities deemed to be police officers.

31. The Controller, every Deputy Controller, every Assistant Controller and every licensing authority shall each be deemed to be a police officer within the meaning of the Administration of Justice Law, No. 44 of 1973, for the purpose of exercising, in relation to any offence under this Act, any power conferred upon a police officer by that Law."

Amendment of section 37 of the principal enactment.

10. Section 37 of the principal enactment is hereby amended by the insertion, immediately after the definition of "Controller", of the following new definition:—

" "Deputy Controller" means a Deputy Controller of Explosives."

H.B. ||