



**KHYBER PAKHTUNKHWA**

Published by Authority

**PESHAWAR, FRIDAY, 20TH SEPTEMBER, 2013.**

**PROVINCIAL ASSEMBLY SECRETARIAT  
KHYBER PAKHTUNKHWA**

**NOTIFICATION**

**Dated Peshawar, the 20<sup>th</sup> September, 2013.**

No. PA/Khyber Pakhtunkhwa/Bills/2013/5863- The Khyber Pakhtunkhwa Explosives Bills, 2013 having been passed by the Provincial Assembly of Khyber Pakhtunkhwa on 11<sup>th</sup> September, 2013 and assented to by the Governor of the Khyber Pakhtunkhwa on 18<sup>th</sup> September, 2013 is hereby published as an Act of the Provincial Legislature of the Khyber Pakhtunkhwa.

**THE KHYBER PAKHTUNKHWA EXPLOSIVES ACT, 2013  
(KHYBER PAKHTUNKHWA ACT NO. XXIV OF 2013)**

(First published after having received the assent of the Governor of the Khyber Pakhtunkhwa in the Gazette of the Khyber Pakhtunkhwa. (Extraordinary), dated the 20/09/2013).

**AN  
ACT**

*to regulate the manufacture, possession, use, sale and transportation of explosives in the Province of the Khyber Pakhtunkhwa.*

**Preamble.**---WHEREAS it is expedient to regulate the manufacture, possession, use, sale and transportation of explosives in the Province of the Khyber Pakhtunkhwa;

It is hereby enacted as follows:

**1. Short title, extent and commencement.**---(1) This Act may be called the Khyber Pakhtunkhwa Explosives Act, 2013.

(2) It shall extend to the whole of the Province of the Khyber Pakhtunkhwa.

(3) It shall come into force at once.

**2. Definitions.**—In this Act, unless there is anything repugnant in the subject or context, -

- (a) "aircraft" means any machine which can derive support in the atmosphere from the reactions of the air, other than the reactions of the air against the earth's surface, and includes balloons, whether fixed or free, airships, kites, gliders and flying machines, for this Act aircraft means cargo aircraft;
- (b) "Authority" means Government or any other officer duly authorized by Government for the purpose of this Act;
- (c) "carriage" includes any carriage, wagon, cart, truck, vehicle or other means of conveying goods, or passengers by land, in whatever manner the same may be propelled;
- (d) "Chief Inspector" means Chief Inspector of Explosives to be appointed by Government;
- (e) "Code" means the Criminal Procedure Code, 1898 (Act V of 1898);
- (f) "explosives" mean gunpowder, nitroglycerin, nitroglycol, gun cotton, dinitrotoluene (DNT), trinitrotoluene (TNT), Picric acid, dinitrophenol, trinitroresorcinol (styphnic acid), cyclotrimethylene, trinitramine (RDX, Cyclonite, Hexogen and variants), pentaerythritoltetranitrate (PETN), tetryl, nitroguanidine, lead azide, lead styphnate, fulminate of mercury or any other metal, diazodinitrophenol (DDNP), coloured fires or any other substances whether a single chemical compound or a mixture of substances, whether solid or liquid or gaseous nitro compound or in the form of watergel or slurry used or manufactured with a view to produce a practical effect by explosion or pyrotechnic effect and includes, -
- (i) chemical compounds compositions or mixtures of which will produce, upon, release of its potential energy, a sudden outburst of gases, thereby exerting high pressures on its surroundings;
- (ii) fog signals, fireworks, fuses, rockets, percussion caps, detonators, cartridges, ammunition of all descriptions and every adoption or preparation of an explosives as defined in this clause: and
- (iii) such other substance as Government may, by notification in the official Gazette, specify for the purposes of this sub-section;
- (g) "Government" means Government of the Khyber Pakhtunkhwa;

- (h) "manufacture" includes the preparation of explosives or any component parts of an explosives, the admixture or other treatment of the same, the breaking up or un-making of any explosives, or making fit for use any damaged explosives or the processing of any substance or matter with a view to causing an explosion, implosion or disintegration, and the process of remaking, altering or repairing any explosives;
- (i) "master"
  - (i) in relation to any vessel or ship means any person, other than a pilot, harbor master, assistant harbor master or berthing master, having for the time being the charge or control of such vessel or aircraft, as the case may be;
  - (ii) in relation to any boat belonging to a ship, means the master of that ship; and
  - (iii) in relation to aircraft means captain of the aircraft;
- (j) "prescribed" means prescribed by rules;
- (k) "Province" means the Province of the Khyber Pakhtunkhwa;
- (l) "rules" mean rules made under this Act;
- (m) "transportation" means to transport explosive substances within, into or away from the Province; and
- (n) "vessel" includes every ship, boat and other vessel used in navigation, whether propelled by oars or otherwise.

3. **Government to establish an Inspectorate of Explosives.**---As soon as after the commencement of this Act, Government shall establish an Inspectorate of Explosives, which shall be headed by the Chief Inspector, to be appointed by Government, who shall be assisted by such number of officers and staff, as may be prescribed.

4. **Powers to make rules as to licensing of the manufacture, possession, use, sale and transportation of explosives.**---(1) Government may, by rules made under this Act, regulate or prohibit, except under and in accordance with the conditions of a license granted as provided by the rules, the manufacture, possession, use, sale and transportation of explosives, or any specified class of explosives.

(2) Rules under this section may provide for all or any of the following, among other matters, that is to say-

- (a) the Authority by which licenses may be granted;
- (b) the fees to be charged for licenses, and other sums (if any) to be paid for expenses by applicants for licenses;
- (c) the manner in which applications for licenses must be made, and the matters to be specified in such applications;

