
First published in the *Government Gazette*, Electronic Edition, on 27th June 2007 at 5:00 pm.

No. S 306

ARMS AND EXPLOSIVES ACT (CHAPTER 13)

ARMS AND EXPLOSIVES (EXPLOSIVE PRECURSORS) RULES 2007

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In exercise of the powers conferred by section 46 of the Arms and Explosives Act, the Minister for Home Affairs hereby makes the following Rules:

PART I

PRELIMINARY

Citation and commencement

1. These Rules may be cited as the Arms and Explosives (Explosive Precursors) Rules 2007 and shall come into operation on 1st July 2007.

Definitions

2. In these Rules, unless the context otherwise requires —

“licence” means —

- (a) a licence issued for the possession, control, import, export, manufacture or dealing in any explosive precursor under section 21A of the Act; or
- (b) a licence issued in respect of premises for the storage or keeping of any explosive precursor under section 21D of the Act;

“licensed explosive precursor” means any explosive precursor that is the subject of a licence;

“licensed premises” means any premises licensed for the storage or keeping of any explosive precursor under section 21D of the Act or any part thereof;

“register book” means the register book kept and maintained by a licensee under rule 16.

PART II

PROVISIONS RELATING TO LICENCES

Application for licences via electronic means

3.—(1) Subject to paragraph (2), every application for a licence under these Rules shall be made using the electronic application service provided by the Licensing Officer.

(2) In the event of a malfunction or failure, or an imminent malfunction or failure, of the electronic application service, the application shall be made in such written form as the Licensing Officer may require.

(3) The Licensing Officer may reject any application that is not made in accordance with these Rules.

Security proposal

4.—(1) Upon receipt of an application for a licence, the Licensing Officer may, where he considers it necessary, require the applicant to submit a security proposal setting out such protective and other security measures to be implemented and maintained in relation to the explosive precursor for which the licence is sought.

(2) The Licensing Officer may, in his discretion, approve the security proposal submitted under paragraph (1) subject to such terms and conditions as he may impose.

(3) The Licensing Officer may refuse to issue a licence if the applicant —

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- (a) fails or refuses to submit a security proposal to the Licensing Officer under paragraph (1); or
 - (b) submits a security proposal that is, in the opinion of the Licensing Officer, inadequate or inappropriate.

Term of licences

5. For the purposes of section 21G(a) of the Act —

- (a) every licence to possess or control any explosive precursor is in force for not more than 2 years from the date of issue of the licence;

[S 798/2020 wef 21/09/2020]

- (b) every licence to import or export a consignment of any explosive precursor is in force for not more than 30 days from the date of issue of the licence;

[S 798/2020 wef 21/09/2020]

- (c) every licence to manufacture any explosive precursor is in force for not more than 2 years from the date of issue of the licence;

[S 798/2020 wef 21/09/2020]

- (d) every licence to deal in any explosive precursor is in force for not more than 2 years from the date of issue of the licence; and

[S 798/2020 wef 21/09/2020]

- (e) every licence issued in respect of any premises for the storage or keeping of any explosive precursor is in force for not more than 2 years from the date of issue of the licence.

[S 798/2020 wef 21/09/2020]

Prescribed conditions of licence

6.—(1) Every licence to possess or control any explosive precursor shall be subject to the conditions set out in the First Schedule.

(2) Every licence to manufacture any explosive precursor shall be subject to the conditions set out in the Second Schedule.

(3) Every licence to deal in any explosive precursor shall be subject to the conditions set out in the Third Schedule.

(4) Every licence issued in respect of any premises for the storage or keeping of any explosive precursor shall be subject to the conditions set out in the Fourth Schedule.

Amendment, etc., of licence conditions

7. The Licensing Officer may, at any time, vary or revoke any condition of a licence (other than a prescribed condition) or impose new conditions.

Replacement licence

8. Where a licence is lost or destroyed, the licensee shall apply for a replacement licence in accordance with rule 3.

Fees

9. The fees for the issue of any licence or replacement licence shall be as specified in the Fifth Schedule.

Reduction or waiver of fees

9A. The Licensing Officer may in his discretion reduce or waive, wholly or in part, any fee that is payable under these Rules in any particular case if he is satisfied that it is just and equitable to do so.
[S 496/2010 wef 13/09/2010]

PART III

REQUIREMENTS RELATING TO LICENCES

Production of licence

10. Any licensee, or any person acting under a licence, shall produce the licence when called upon to do so by any court or police officer.

Notification of change of address

11. Every licensee shall notify the Licensing Officer, before he moves from the address specified in his licence to a new address, of the change in his address.

Notification of loss and theft involving explosive precursors

12. In the event of any loss or theft of any explosive precursor, the licensee concerned shall —

- (a) immediately report, or cause to be reported, the loss or theft to the police; and
- (b) as soon as practicable, furnish the Licensing Officer with a detailed report in writing on the following:
 - (i) the circumstances leading to the loss or theft (as the case may be); and
 - (ii) the measures taken by him to prevent a recurrence of the loss or theft (as the case may be).

Notification of explosive precursors used for blasting works

13. Where any explosive precursor is to be used for or in connection with blasting works, the licensee concerned shall —

- (a) inform the Licensing Officer at least 48 hours before the commencement of such blasting works; and
- (b) furnish such information and documents as the Licensing Officer may require, within such period as the Licensing Officer may specify.

Transportation of explosive precursors

14. Where a licensee transports, or causes or permits to be transported, any licensed explosive precursor in any vehicle, the licensee shall ensure —

- (a) that the driver of the vehicle has undergone the relevant training conducted by the Singapore Civil Defence Force to enable him to understand —
 - (i) the nature of the dangers which the explosive precursors may give rise to;
 - (ii) the action to be taken in an emergency; and
 - (iii) the requirements under the Fire Safety (Petroleum and Flammable Materials) Regulations 2005 (G.N.

No. S 81/2005) with respect to the carrying of documents; and

- (b) that the driver of the vehicle has been issued with a Hazardous Materials Transport Driver Permit under those Regulations by the Commissioner of Civil Defence.

Prohibition of purchase of explosive precursors from unlicensed person

15. No person shall purchase any explosive precursor from any other person who is not licensed to deal in that explosive precursor.

PART IV

PROVISIONS RELATING TO RECORD-KEEPING

Register book

16.—(1) Every licensee shall keep and maintain a register book which shall contain the information specified in paragraph (2).

(2) For the purposes of paragraph (1), the register book shall contain the following information, as applicable:

- (a) the date on which any licensed explosive precursor is taken into stock, manufactured, imported, exported, sold, supplied, transferred or removed;
- (b) the number of the licence to which the licensed explosive precursor relates;
- (c) the description, quantity and concentration of the licensed explosive precursor;
- (d) the name, identification number (such as, NRIC number, foreign identification number, passport number or business registration number) and address of —
 - (i) the person to whom the licensed explosive precursor is sold, supplied or transferred; or
 - (ii) the person from whom the licensed explosive precursor is purchased or received; and

(e) the purpose of each transaction involving the licensed explosive precursor.

(3) Every licensee shall keep each record contained in the register book for a period of not less than 3 years from the date the record is made.

Furnishing transaction records, etc.

17.—(1) Every licensee shall make available the register book for inspection at any time by the Licensing Officer or any officer authorised in writing by the Licensing Officer.

(2) Every licensee shall submit to the Licensing Officer such returns on the stock or sale of the licensed explosive precursor as the Licensing Officer may from time to time require, within such period and in such form and manner as the Licensing Officer may specify.

PART V

MISCELLANEOUS PROVISIONS

Offences

18. Any person who contravenes rule 10, 11, 12, 13, 14, 15, 16(3) or 17(2) shall be guilty of an offence and shall be liable on conviction —

- (a) in the case of a body corporate, to a fine not exceeding \$30,000 and, in the case of a continuing offence, to a further fine not exceeding \$3,000 for every day or part thereof during which the offence continues after conviction; and
- (b) in any other case, to a fine not exceeding \$10,000 or to imprisonment for a term not exceeding 6 months or to both and, in the case of a continuing offence, to a further fine not exceeding \$1,000 for every day or part thereof during which the offence continues after conviction.

Disposal of forfeited articles, etc.

19. All explosive precursors, other articles and receptacles which are forfeited to the Government under section 42(1) of the Act in

relation to any offence involving any explosive precursor shall be disposed of in such manner as the Licensing Officer may direct.

FIRST SCHEDULE

Rule 6(1)

PRESCRIBED CONDITIONS FOR LICENCES TO POSSESS OR CONTROL EXPLOSIVE PRECURSORS

1. The licensee shall take such appropriate security measures as to prevent any loss or theft of the licensed explosive precursor in his possession or under his control.
2. The licensed explosive precursor shall be for use solely by the licensee.
3. The licensee shall not sell, supply or transfer the licensed explosive precursor to any person without the written approval from the Licensing Officer.
4. The licensee shall ensure that only such of his agents, employees and other persons as are authorised by him have access to the licensed explosive precursor.
5. The licensee shall surrender his licence to the Licensing Officer within 3 working days of its suspension or cancellation.

SECOND SCHEDULE

Rule 6(2)

PRESCRIBED CONDITIONS FOR LICENCES TO MANUFACTURE EXPLOSIVE PRECURSORS

1. The licensee shall only manufacture the licensed explosive precursor in the licensed premises.
2. The licensee shall ensure that all activities involving the licensed explosive precursor are carried out in a manner that ensures the safety and security of all persons and property exposed to the risks.
3. The licensee shall ensure that his agents, employees and other persons who are engaged in the handling of the licensed explosive precursor are adequately trained in the safe handling of the licensed explosive precursor.
4. The licensee shall implement and maintain —
 - (a) the security measures in accordance with the security proposal approved by the Licensing Officer; and
 - (b) such other security or safety measures as the Licensing Officer may, from time to time, direct.

SECOND SCHEDULE — *continued*

5. No licensee shall deliver to any person any explosive precursor —
- (a) unless that person is licensed to deal in the explosive precursor or to possess or control the explosive precursor, and has produced the licence to the licensee; and
 - (b) beyond the extent or amount permitted by the licence of that person.
6. The licensee shall immediately report to the Licensing Officer any attempted theft, or any suspicious incident that threatens the security, of any licensed explosive precursor manufactured by the licensee.

THIRD SCHEDULE

Rule 6(3)

PRESCRIBED CONDITIONS FOR LICENCES TO DEAL IN EXPLOSIVE PRECURSORS

1. No licensee shall deliver to any person any explosive precursor —
- (a) unless that person is licensed to possess or control the explosive precursor, and has produced the licence to the licensee; and
 - (b) beyond the extent or amount permitted by the licence of that person.
2. The licensee shall surrender his licence to the Licensing Officer within 3 working days of its suspension or cancellation.
3. The licensee shall immediately report to the Licensing Officer any attempted theft, or any suspicious incident that threatens the security, of any licensed explosive precursor.

FOURTH SCHEDULE

Rule 6(4)

PRESCRIBED CONDITIONS FOR LICENSED PREMISES

1. The licensee shall implement and maintain —
- (a) the security measures in accordance with the security proposal approved by the Licensing Officer; and
 - (b) such other security or safety measures as the Licensing Officer may, from time to time, direct.
2. The licensee shall ensure that only such of his agents, employees and other persons as are authorised by him have access to the licensed premises.

FOURTH SCHEDULE — *continued*

3. The licensee shall immediately report to the Licensing Officer any attempted theft, or any suspicious incident that threatens the security, of any explosive precursor in the licensed premises.

4. The licensee shall ensure that all activities involving any explosive precursor in the licensed premises are carried out in a manner that ensures the safety and security of all persons and property exposed to the risks.

5. The licensee shall ensure that his agents, employees and other persons who are engaged in the handling of any explosive precursor in the licensed premises are adequately trained in the safe handling of the explosive precursor.

6. The licensee shall ensure that any explosive precursor in the licensed premises that has expired and that is unsafe for storage is immediately removed from the licensed premises and disposed of.

FIFTH SCHEDULE

Rule 9

FEES

First column

Second column

1. Licence to possess or control any explosive precursor	\$44
2. Licence to import or export a consignment of any explosive precursor	\$22 per consignment
3. Licence to manufacture any explosive precursor	\$140
4. Licence to deal in any explosive precursor	\$285
5. Licence in respect of premises for storing or keeping any explosive precursor	\$130
6. Replacement licence	\$11.

[S 496/2010 wef 13/09/2010]

Made this 21st day of June 2007.

BENNY LIM
*Permanent Secretary,
Ministry of Home Affairs,
Singapore.*

[MHA (PS) 8/3/003 & 112/2/029; AG/LEG/SL/13/2003/1 Vol. 4]

(To be presented to Parliament under section 46(4) of the Arms and Explosives Act).