

### *Explosives Act*

The amendment of 1954 revised the whole act into the second consolidation of statutory orders and regulations. The same year, an order in council revised the regulations dealing with the transportation of explosives by road. The major significance of this change was to formalize the road transport of explosives under a permit system and to increase the amount of explosives that could be transported by road to a maximum of 10,000 pounds.

The value of the legislation has been clearly demonstrated during the last 50 years by a significant reduction in the number of accidents. For example, during the four years immediately prior to the introduction of the Explosives Act in 1911, there were 42 fatalities in the manufacture of an estimated 40,000 tons of explosives. By comparison, during the past four years there was only one fatal accident in the manufacture of approximately 900,000 tons of commercial blasting explosives, and the industry ranks high among the top ten safest industries in Canada. In addition, and despite the significant yearly increase in the amount of explosives being used, there has been a progressive reduction in the number of fatal accidents in construction and mining, due mainly to the power under the act to control, through testing, the authorization or certification of explosives.

In effect all explosives, either manufactured or imported for use in Canada, undergo stringent authorization tests to ensure that the most reliable, predictable and safest explosives are available to Canadian users.

There are now 68 factories licensed under the act to manufacture explosives. Fifty-eight factories manufacture commercial blasting explosives, for example, dynamite and blasting agents. Three manufacture blasting accessories including detonators, safety fuses, and detonating fuses. Another three manufacture ammunition, mainly sporting ammunition and industrial cartridges. One firm manufactures fireworks, and three others manufacture military explosives and pyrotechnics.

As I mentioned previously, this is the first amendment since 1954, and during the interval the explosives industry has undergone significant changes. Hence the act contains a number of obsolete terms and conditions which require modernization. In this same context changes are also required to improve administrative procedures and to make information, particularly regarding authorized explosives, more available to the public.

The bill also seeks to improve control over the distribution of explosives. Under the present act, the Governor in Council has the power to regulate over the sale of explosives and we are, by these amendments, seeking authority also to make regulations over the purchase and possession of blasting explosives.

Under existing legislation we have good control over the manufacturer and the vendor of blasting explosives, but insufficient control over the purchaser. We are convinced that we must achieve better control in order to remind the purchaser of his obligation to exercise a more responsible attitude and provide adequate safety and security for explosives in his possession.

This year we have dealt with over 150 incidents of abandoned explosives representing approximately 9,000

[Mr. Foster.]

pounds of dynamite and 4,000 detonators. All of these incidents have been a direct result of carelessness.

Abandoned and deteriorated explosives pose a serious hazard to the public. Every year several are injured by explosives they find near construction sites. In another case three hunters lit a fire in the stove of an abandoned cabin and were killed when a cache of dynamite exploded. The owner of the property some years previously had ordered more dynamite than he needed for a drainage project, and had cached the explosives in the cabin and forgotten about them. An unfortunate incident, but one which we should be able to prevent under a system of more precise controls.

● (2050)

In future, by this bill the purchase of blasting explosives will be restricted to, first, a person with a valid provincial licence authorizing the storage and use of explosives in a mine or quarry operating under provincial or territorial jurisdiction; second, a person with a valid licence issued pursuant to the Explosives Act for the manufacture, sale or use of explosives; and third, a person with a valid purchase and possession permit.

Recommendations one and two will account for most of the explosives normally consumed, while the third recommendation will cover the balance of the explosives purchased, mainly by the small, intermittent user. The first two recommendations are already reasonably covered by existing federal and provincial licences, but recommendation number three is entirely new. In the latter case the purchaser will be required, pursuant to amendments to the regulations, to complete a form of application giving such personal general information as location, duration, and intended use of the explosives purchased. Provided the licensed distributor can positively identify the purchaser, he may then complete the transaction.

A purchase and possession permit will be valid for a specific period not exceeding 90 days, and will contain detailed requirements to be observed by the permittee for the secure storage and transportation of the explosives. For identification, the explosives will be marked with the permit number, and the purchaser will be required to retain the permit until he disposes of all the explosives. We also intend to recommend regulations which will place the onus of responsibility for the safety and security of explosives on the purchaser rather than on the distributor, as is presently the case. A proposal in this bill will also make it an offence to abandon an explosive.

I would like to emphasize that these additional controls will apply only to blasting explosives. We do not intend to alter significantly any of the present exemptions to the regulations applicable to fireworks, fusees, flares, signals, sporting ammunition, propellants, primers or industrial explosives. In fact, the present regulations, which have been in force for many years, virtually exempt safety cartridges from the manufacturing, storage, sale, importation and transportation restrictions normally applied to other explosives.

In March, 1972, when a similar bill, Bill C-7, was introduced to this House some hon. members misinterpreted the intent of the legislation. Despite assurances to the contrary, they felt we had in mind to restrict the sale,