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**DECREE NO. 81/279 OF 15 JULY
1981 TO LAY DOWN THE TERMS OF
IMPLEMENTATION OF LAW NO. 77/15
TO REGULATE EXPLOSIVE SUBSTANCES
AND DETONATORS**

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THE PRESIDENT OF THE REPUBLIC,

Mindful of the Constitution of 2 June 1972;

Mindful of Law No. 77/15 of 6 December 1977 to regulate explosive substances and detonators;

HEREBY DECREES AS FOLLOWS:

Article 1

This Decree lays down procedures for implementing Law No. 77/15 of 6 December 1977 to regulate explosive substances and detonators.

Chapter I

REGULATED EXPLOSIVE SUBSTANCES AND DETONATORS

Article 2

The provisions of this Decree shall apply to:

- explosive chemical substances or products likely to explode made from nitro-glycerine, nitro-derivatives of hydrocarbons, chlorates or perchlorates, nitrates;
- ammonium-fuel oil nitrate mixtures;
- liquid oxygen;
- black powders;
- all firing devices and so-called "safety" explosives and, similarly, to all detonating or explosive bodies used in mines, quarries for public works and agricultural engineering;

However, they shall not apply to collodion or picric acid circulating or stored in non-combustible containers with a unit capacity of less than 1 kg and in batches with a total weight of less than 50 kg.

Article 3

New types of explosives and products likely to explode, not stated in Article 1 above, must be approved by order of the Minister in charge of mines prior to their manufacture, importation, sale, transportation, conservation or use in Cameroon.

Article 4

- (1) The nomenclature and classification of explosives and detonators are set out in the Annex to this Decree.
- (2) Explosive or detonating products and all fireworks referred to in Article 2 above shall correspond to or belong to one of the classes defined in the said annex to be manufactured, imported, sold, preserved or used in Cameroon.

Article 5

- (1) (1) The substances referred to in Article 4 above are divided into eight classes. Each class shall be allocated a coefficient of equivalence E, with respect to dynamite-gum.
- (2) The coefficients of equivalence shall apply to cartridged products. They shall be halved for uncartridged substances.
- (3) All the weight limits fixed in this Decree shall be the gross weights of the products cartridged ready to use.

Chapter II

PERSONAL AUTHORIZATION TO MANUFACTURE OR CARTRIDGE

Article 6

- (1) Personal authorization shall entitle the holder to manufacture or cartridge explosives, detonators and firing devices.
- (2) The personal authorisation shall be granted by Decree at the end of the procedure described in Articles 7 and 8 below.

Article 7

- (1) Application for authorization shall be addressed to the Minister in charge of Mines in three copies with the original bearing a stamp.
- (2) It shall state:
 - a) the identity of the applicant:**
 - **for an individual:** name, first name, profession.
 - **for a company:** company name, type, registered office
 - b) the place, nature and scope of the proposed activities.**
- (3) It shall be accompanied by the following documents:
 - (a) for an individual:**
 - a copy of the birth certificate;
 - a certificate of non-conviction less than three months old;
 - a certificate of nationality;
 - an information sheet issued by the Minister in charge of mines,
 - (b) for a company**
 - a copy of the updated articles of association;

- the list of members of the Board of Directors specifying the identity and nationality of each member;
- the balance sheet of the previous financial year;
- a copy of the report of the Board of Directors addressed to the General Assembly and the report of auditors of the previous financial year;
- the surnames, first names, nationality, profession of the director and power-wielding associates of the company;
- an information sheet issued by the Minister in charge of mines.

Article 8

The whole file shall be forwarded to the Presidency of the Republic after the opinion of the ministers in charge of territorial administration and the armed forces as well as the General Delegate for National Security.

Article 9

Withdrawal of personal authorization may be made in the same manner as its granting.

Article 10

Refusal or withdrawal of an authorization shall not give room for any compensation.

Article 11

- (1) Personal authorization to manufacture or cartridge shall be different from the authorization to operate a cartridge-making factory or workshop and shall not replace it.
- (2) It shall neither be rentable nor transferable.

Chapter III

AUTHORIZATION TO OPERATE AN EXPLOSIVE OR DETONATOR CARTRIDGE-MAKING FACTORY OR WORKSHOP

Article 12

- (1) No person may operate a factory or a cartridge-making workshop
 - if he/she does not hold the personal authorization referred to in Chapter II above;
 - if the operation of a cartridge-making factory or workshop has not been authorized in the terms defined below.
- (2) The authorization to operate a cartridge-making factory or workshop shall confer on its proprietor the right to construct and commission a manufacturing plant or a cartridge-making workshop for fireworks, and explosive and detonating substances.
- (3) It shall be granted by decree.

Article 13

- (1) An application for authorization written in three copies, the original of which is stamped, shall be addressed to the Minister in charge of mines care of the territorially competent senior divisional officer.

It shall state:

a) For an individual:

- the surname, first name, residence, profession and nationality of the applicant.

b) For a company:

- its registered name, registered office, nationality and position of its representative.

(2) It shall be accompanied by the following documents:

- a 1/50,000 map showing the location of the factory or workshop;
- a 1/10,000 plan showing the surroundings of the establishment, over a radius of 3 km;
- the plans and sections at 1/200, which contain the layout of the establishment, as well as the distributions of each of the premises;
- any document likely to shed light on the nature of the composition and characteristics of the products whose manufacture and/or cartridge-making are envisaged; indications on the method of manufacture by specifying the quantities of raw materials and finished products to store; the number of different personnel, the number and types of machines to install;
- a safety and rescue plan in the event of danger during the operation of the establishment; hygiene measures taken at each workstation;
- all references of personal authorization referred to in Article 6 of this Decree;
- a declaration of election of domicile at the divisional headquarters where the establishment is located;
- the attestation by which the applicant declares to be acting on his own or on behalf of a third party; in the latter case, regular powers must be annexed;
- in the case of a company, the articles of association of the company and all acts establishing its legal existence.

(3) The authorization provided for in this Article shall be valid for one establishment only.

Article 14

The complete file shall be forwarded by the Minister in charge of mines to the Presidency of the Republic.

Article 15

- (1) The Minister in charge of mines may, if necessary, issue by order special security and hygiene measures.
- (2) Any modifications of the said measures and any new security and salvaging plan shall be approved in the same manner as in the previous paragraph.

Chapter IV

CONSERVATION OF EXPLOSIVE SUBSTANCES AND DETONATORS

Article 16

- (1) Explosive substances and detonators, and detonating devices manufactured, imported, sold or used in Cameroon must be kept in specially designed depots and authorized in accordance with the forms and terms laid down by order of the Minister in charge of mines

- (2) Explosives shall be kept in separate depots from those of detonators. However the detonating cords and slow or non-initiated safety locks shall be stored in the same depots as explosives.
- (3) These depots may be classified according to their administrative situation, capacity or location and their method of construction.

Article 17

- (1) In accordance with paragraph (3) of Article 16 above, there are:
 - (a) According to administrative criteria:**
 - permanent depots;
 - temporary depots;
 - mobile depots.
 - (b) According to capacity:**
 - permanent category 1 depots with a storage capacity exceeding 300 kg of dynamite-gum;
 - permanent category 2 depots, whose storage capacity does not exceed 300 kg of dynamite-gum;
 - temporary depots and mobile depots shall have a capacity equal to that of permanent category 2 depots.
 - (c) According to their location and method of construction:**
 - surface depots built outdoors on the ground;
 - buried depots built by an arch covered with embankment by an underground gallery not linked to any construction site in operation;
 - underground depots located in a gallery linked to an underground operational construction site.
- (2) The methods and conditions of storage and construction of various depots defined in paragraph (1) above shall be laid down by order of the Minister in charge of mines.

Article 18

- (1) Operating a depot of explosives, detonators and detonating devices shall be subject to obtaining prior authorization issued by the Minister in charge of mines.
- (2) The authorization to operate a depot shall confer on its holder the right to construct and put it in use.
- (3) It shall be valid for only one establishment and shall concern either a permanent category one or two depot, a temporary depot or a mobile depot.

Article 19

- (1) Application for an authorization to operate a category 1 or 2 permanent depot or a temporary depot shall be in three copies, the original of which shall be stamped and forwarded to the Minister in charge of mines through the territorially competent senior divisional officer.
- (2) It shall be accompanied by the following documents and information:
 - a map of the region at 1/50 000 indicating the location of the depot;
 - a 1/10 000 plan showing the surroundings of the proposed depot within a radius of 500m;
 - plans and sections at 1/200 showing the layout and distributions of the establishment and its various premises;
 - a statement on the type and quality of the substances to be kept in the depot and on the use for which they are intended;
 - a safety and rescue plan in the event of danger during the operation of the establishment;
 - a declaration of election of domicile in the division where the deposit will be located,
- (3) The request shall also state the names, first names, profession, nationality of the applicant if it is a natural person; in the case of a company, its name, headquarters, nationality and position of its representative, the articles of association of the company and all deeds establishing its legal existence.

Article 20

Authorization shall be granted under the following conditions:

- (1) by order of the Minister in charge of mines for category 1 and 2 permanent depots;
- (2) by decision of the Minister in charge of mines for temporary depots;
- (3) The authorization order or decision must specify the duration of the authorization, the situation and the type of depot and maximum quantities of the products to be stored therein, special safety measures to be taken. The same deed may authorize the operation of a depot of explosives and a depot of detonators.

Refusal or withdrawal of an authorization shall not give room for any compensation.

Article 21

- (1) The period of validity of the authorization to operate a category 1 or 2 permanent depot shall be four years renewable.
- (2) The period of validity of a temporary depot shall not exceed six months.

Article 22

- (1) The authorization to operate a mobile depot shall be granted in the case where for public utility works the use of explosives, detonators and detonating devices is necessary in sites situated in several localities of the same administrative unit or of several neighbouring administrative units.
- (2) The conditions for operating a mobile depot shall be laid down by order of the Minister in charge of mines.

Article 23

- (1) The application for an authorization to operate a mobile depot shall be in the same manner and conditions laid down in Article 19 above. It must also make known the localities in which the operations shall be carried out and their approximate duration.
- (2) The authorization shall be granted by order of the Minister in charge of mines after the opinion of the authorities provided for in Article 8.
- (3) The refusal or withdrawal of authorization shall not give room for any compensation.
- (4) In case of emergency, the Governor may suspend the implementation of the authorization to operate a mobile depot within the territory of his province. He shall immediately inform the Minister in charge of mines.

Chapter V

PERSONAL AUTHORIZATION TO IMPORT, SELL, BUY OR TRANSPORT EXPLOSIVE SUBSTANCES AND DETONATORS

Article 24

- (1) The importation, sale, purchase or transport of explosive substances and detonators shall be subject to prior authorization issued by the Minister in charge of mines after notification of authorities provided for in Article 8 of this Decree.

(2) An application made and processed in accordance with the procedure laid down in Chapter II of this Decree shall make known besides the origin and nature of products, the size of the consignment and special safety requirements during handling, transportation and delivery.

It shall also mention all references to the authorization to exploit depots in which these products will be stored.

(3) The authorization shall be granted by order of the Minister in charge of mines. It shall make known the number of operations permitted, the nature and quantities of explosives and detonators or fireworks allowed per operation given the capacity of the operated depots.

It shall also specify whether the beneficiary is authorized to sell the imported or purchased products.

In this case, the authorization must bear the label "sold to the public".

Article 25

(1) Only natural persons or legal entities authorized to manufacture and cartridge such substances, holders of the authorization provided for in Article 24 above, custodians of cartridge-making factories or workshops shall be authorized to sell explosive or detonating substances and detonating devices.

(2) Exceptionally, the operator of a depot may be authorized in the manner provided for in Article 24 above, to surrender to another depot during the course of operation excess explosives or detonators not used at expiry of the validity of their authorization.

This surrender must be carried out under the control of the local administrative authority in conjunction with the administration in charge of mines.

Article 26

(1) No person shall be delivered explosives or detonators unless he is the holder of a valid authorization to operate a permanent, temporary or mobile depot.

(2) The seller must ensure before any delivery operation that the buyer fulfils the requirements of paragraph (1) of this Article.

(3) Under no circumstances may the quantities sold exceed the capacity of the depots in which the products to be delivered will be stored.

Article 27

(1) However, the Minister in charge of mines and snior divisional officers may issue to individuals permissions for purchase and immediate use of explosive and detonating substances without the beneficiary being a holder of personal authorization and being obliged to build a depot.

(2) Permissions to purchase for immediate use shall be granted under the following conditions:

- The quantity of explosives authorized may not exceed 30 kg of explosives and 500 kg of detonators. It shall be bought in one instalment.
- The beneficiary must keep in a safe place, sheltered from the weather and under permanent and effective guard, and use all within twenty-four hours upon receipt of the explosives that he was allowed to use.

He must send to the authority that granted the permission with a copy to the Minister in charge of mines, if applicable within forty-eight hours of the use of the explosives, a detailed report, stating the quantities used for the work envisaged, the intended use of the remaining explosives, and return his permit after mentioning the type and quantity of products used and the delivery date of these products.

Article 28

(1)Transportation of explosives, detonators and detonating devices may be done by road, by rail, by inland waterways, on board inland navigation vessels.

Transportation of these materials by air shall be strictly forbidden.

(2) The conditions of transportation and transshipment shall be defined by order of the Minister in charge of mines.

Chapter VI

ADMINISTRATIVE AND TECHNICAL SURVEILLANCE

Article 29

- (1) The authorization to operate a cartridge-making factory or workshop confers on the holder the right to build and operate a category one permanent depot.
- (2) Orders issued by the Minister in charge of mines pursuant to this Decree shall specify the technical terms and conditions for the construction of manufacturing depots or cartridge-making workshops.

Article 30

- (1) The holders of authorizations to operate a factory, a cartridge-making workshop or a depot for explosive substances, detonators or detonating devices shall operate their establishments at the end of construction work only upon notification by a conclusive inspection report, drawn up by a sworn inspector of mines.
- (2) The expenses related to this inspection shall be borne by the operator.
- (3) The authorization may be suspended and the operation delayed if the inspection referred to above was not carried out because of the holder of the authorization, or if during that inspection infringements on regulations were observed.

Article 31

- (1) No modification may be made to a manufacturing, cartridge-making or conservation establishment of explosives, detonators or detonating devices without the prior approval of the Minister in charge of mines.
- (2) The application for modification shall be in the same manner as the application for authorization of the corresponding category of establishment and shall follow the same administrative procedure.
- (3) In case of refusal, the operator shall be notified by letter from the administration in charge of mines.

Article 32

- (1) The Minister in charge of mines may prescribe additional special provisions after the granting of the authorization.
- (2) The holder of the authorization must comply with the new measures taken at his expense, within 6 months, from the date of notification.

Article 33

- (1) The authorization to operate factory of explosives, detonators or detonating devices, a cartridge-making workshop or depot of such substances may be assigned or transferred to natural persons or legal entities.
- (2) In the case of a cartridge-making factory or workshop, the assignee must first be holder of the personal authorization to manufacture or cartridge provided for in Chapter II of this Decree.

- (3) The application for authorization signed by the assignor and the assignee shall be sent to the Minister in charge of mines and must include all the justifications and reasons for the assignment transaction or envisaged transfer.
- (4) The authorization shall be granted by the authority which signed the initial deed of authorization to the establishment concerned.

Article 34

- (1) Authorization to operate a cartridge-making factory or workshop, a permanent depot, a temporary depot or a mobile depot shall entail for the holder the obligation to report to administrative authorities where one of these establishments is built, with a copy to the local administration of mines, on stock movements, thefts and other incidents under conditions that will be specified in the order made pursuant to this Decree.
- (2) Controls prescribed in connection with the inspection of establishments classified as dangerous, unhealthy and inconvenient, as well as technical controls allowing the permanent monitoring of cartridge-making factories or workshops, explosives, detonators and detonating devices depots will be regularly carried out by sworn inspectors of mines, without prejudice to controls made by administrative and law enforcement authorities.
- (3) The operator must at all times allow these officials free access to the cartridge-making factory, workshop or depot. He must also provide them with all the information required for normal accomplishment of their duty and writing of corresponding reports.

Article 35

The territorially competent labour inspector may at any time visit cartridge-making factories or workshops of explosive or detonating substances. During these visits, he shall ensure that the facilities of the establishment and their accessory buildings extensions annexes are arranged in such a way as to guarantee the safety and hygiene of workers.

Article 36

- (1) If for any reason the safety of the establishment or the public is impaired, or in case of imminent danger, the operator must inform the local administrative authorities who, under their responsibilities shall take the necessary safety and rescue measures in the meantime while waiting for arrival of the sworn inspector of mines.
- (2) In agreement with the local administrative authorities, the sworn inspector of mines may order, at the expense of the operator and without the latter being able to claim any compensation, the removal, sale or destruction in situ or after transportation to a suitable place of the dangerous explosive or detonating substances.

Chapter VII

MISCELLANEOUS

Article 37

Without prejudice to the powers of judicial police officers with general jurisdiction, the provisions of this Decree shall be certified by the sworn inspectors of the Ministry in charge of mines, and where appropriate, by labour inspectors or their legal alternates.

Article 38

- (1) An authorization to operate a a cartridge-making factory, workshop or depot may be withdrawn after formal notice, if the operator does not comply with the requirements laid down by this Decree and subsequent texts. Transportation, sale or destruction of explosive or detonating substances that would result from the closing order shall be prescribed at the expense of the operator.
- (2) Any other infringement of the provisions of this Decree shall lead to the withdrawal of the authorization to operate or the one provided for in Chapter V above.

Article 39

As from the date of publication of this Decree and with the penalty of annulment, holders of authorizations for various activities on explosives regulated by this Decree shall have six months to comply with the above provisions.

Article 40

This Decree, which repeals all previous provisions to the contrary, will be registered and published in the Official Gazette in English and in French.

Yaounde, 15 July 1981
The President of the Republic
Paul Biya

ANNEX

Nomenclature and classification of explosive substances and detonators

Explosive substances and detonators covered by this Decree are classified in the eight classes below, each class being assigned an equivalence coefficient E with respect to dynamite-gum

Class	COEFFICIENT EQUIVALENCE	SUBSTANCES
0	$E = \frac{1}{4}$	Security lock detonators
0	$E = \frac{1}{2}$	Electric detonators
I	$E = 1$	Dynamite and other nitro-glycerine based explosives
II	$E = 2$	Black powders or potassium or sodium nitrates other than those of class IV
III	$E = 1$	Chlorinated (OC type) or perchlorate (OP type) explosives
IV	$E = 10$	Compressed black powders of density greater than 1.5; carefully wrapped in good quality hard paper
V	$E = 2$	Ammonia explosives or nitrates and mixtures of ammonium nitrate - fuel- oil (type N explosives)
VI	$E = 2$	Nitrate explosive derivatives of benzene, toluene, mothballs, phenol and cresol
VII	$E = 20$	Detonating cords or trinitrotoluene and other cords or detonating with the same safety guarantees. Enthrite and hexogen detonating fuses have $E = 3$