

[Classification of Explosives.—Order in Council No. 1 (B), Amending No. 1. Explosives Act, 1875 (38 Vict., c. 17).]

At the Court at *Buckingham Palace*, the 11th day of *April*, 1913.

PRESENT,

The KING's Most Excellent Majesty in Council.

**W**HEREAS by the 106th section of the Explosives Act, 1875 (in this Order referred to as the Act), it is provided that His Majesty from time to time, by Order in Council, may define for the purposes of this Act the composition, quality, and character of any explosive, and may classify explosives;

And whereas in pursuance of the Act an Order in Council was made on the 5th day of August, 1875, classifying explosives;

And whereas the provisions of the first section of the Rules Publication Act, 1893, have been complied with:

Now, therefore, in pursuance of the above-mentioned provisions of the Act, His Majesty is pleased, by and with the advice of His Privy Council, to order as follows:—

Any explosive containing a perchlorate and not included in any of the Classes 3, 4, or 5, as defined in the said Order in Council dated 5th August, 1875, shall be deemed to belong to Class 2 (Nitrate-mixture Class), and all orders, rules, or regulations applying to explosives of Class 2 shall be deemed to apply to the said explosive.

*Americ FitzRoy.*

At the Court at *Buckingham Palace*, the 11th day of *April*, 1913.

PRESENT,

The KING's Most Excellent Majesty.

Lord President.  
Viscount Allendale.  
Lord Chamberlain.  
Mr. J. A. Pease.

**W**HEREAS by the Seal Fisheries (North Pacific) Act, 1895 (hereinafter called the Act of 1895), it is enacted that His Majesty in Council may by Order in Council prohibit, during the period specified by the Order, the catching of seals by British ships in such parts of the seas to which that Act applies as are specified in the Order;

And whereas by the Seal Fisheries (North Pacific) Act, 1912 (hereinafter called the Act of 1912), it is enacted that His Majesty in Council shall have the like power to prohibit the killing, taking, and hunting of sea otters within the waters to which the Act of 1895 applies;

And whereas it is further provided by the Act of 1895 that for carrying into effect an arrangement with any foreign State an Order in Council may provide that the powers under the Act of any commissioned officer on full pay in the naval service of His Majesty may,

subject to any limitations, conditions, modifications, and exceptions specified in the Order, be exercised in relation to a British ship, and the equipment, crew, and certificate thereof, by such officers of the said foreign State as are specified in the Order;

And whereas it is further provided by the Act of 1895 that any such Order may contain any limitations, conditions, modifications, and exceptions which appear to His Majesty in Council expedient for carrying into effect the object of the Act;

And whereas by the Act of 1912 it is enacted that the seas with respect to which an Order in Council may be made under the Act of 1895 shall include the seas within such part of the Pacific Ocean as is north of the thirtieth parallel of north latitude, including the Seas of Behring, Kamchatka, Okhotsk, and Japan;

And whereas a convention has been concluded between His Majesty the King, the President of the United States of America, His Majesty the Emperor of Japan, and His Majesty the Emperor of Russia, whereby British subjects and British vessels engaged in pelagic sealing in the waters to which this Order applies may be seized and detained by the naval or other duly commissioned officers of any of the parties to the said convention and delivered as soon as practicable to an authorized official of their own nation;

And whereas the provisions of the Rules Publication Act, 1893, have been complied with:

Now, therefore, His Majesty, in virtue of the above powers, and of all other powers enabling Him in that behalf, is hereby pleased, by and with the advice of His Privy Council, to order, and it is hereby ordered, as follows:—

1. From and after the commencement of this Order the catching of seals and the killing, taking, and hunting of sea otters by British ships is hereby prohibited within the waters to which this Order applies.

2. The powers under the Act of 1895 of a commissioned officer on full pay in the naval service of His Majesty may be exercised in relation to a British ship, and the equipment, crew, and certificate thereof, by a naval or other duly commissioned officer of the United States of America, or of His Majesty the Emperor of Japan, or of His Majesty the Emperor of Russia (hereinafter referred to as an "authorized foreign officer"), but subject to the limitations, conditions, modifications, and exceptions following, that is to say:—

(1) The said powers shall not be exercised by an authorized foreign officer, except in relation to British ships engaged in hunting seals within the waters to which the Order applies.

(2) A British ship shall not be liable to seizure or detention by an authorized foreign officer by reason of the contravention of any regulations made under section 2 of the Act of 1895.

(3) The powers under section 3 of the Act of 1895 of detaining any portion of the equipment or any of the crew, and the powers under section 4 of giving a provisional certificate in lieu of a ship's certificate which is seized and retained, or of endorsing on a certificate the grounds on which it was seized, and of directing the ship to proceed forthwith to a specified