

Guidance Note No. GN 4

Licensing and Operation of Mode B Stores



**Mines Division, Geotechnical Engineering Office
Civil Engineering and Development Department**

1. Introduction

- 1.1 Under regulation 10 of the Dangerous Goods (General) Regulations (DG(G)R) (Cap. 295B), safety cartridges and cartridges for small arms, not exceeding in the aggregate 20,000 rounds, or manufactured fireworks (pyrotechnics and life saving devices, such as marine distress signals), not exceeding in the aggregate 200kg, may be stored in a Mode B store. This regulation does not apply to the storage of:
- (a) safety cartridges for industrial fastening tools, not exceeding 5,000 rounds in the aggregate or 5kg of explosive content (whichever is the less), and
 - (b) safety cartridges and cartridges for small arms, not exceeding in each case 1,000 rounds in the aggregate, if a licence has been granted under the Firearms and Ammunition Ordinance, Cap. 238 or if that Ordinance, by the operation of Part II thereof, does not apply to the possession of or dealing in those cartridges.
- 1.2 The Commissioner of Mines (CoM) is the Authority for granting a Mode B store licence.
- 1.3 The storage of explosives other than above must be in a Government Explosives Depot or Mode A store.

2. Application for a New Store Licence

- 2.1 An application for a Mode B store licence will not be processed unless the explosives to be stored have been included in the CoM's "List of Approved Explosives". Further information on the approval of explosives is given in Mines Division Guidance Note No. GN 5: "Approval of Explosives in Hong Kong".
- 2.2 To apply for a Mode B store licence, the applicant must submit to the CoM:
- (a) a covering letter stating why a storage licence is required, together with a completed Application Form "Licence to Store Category 1 Dangerous Goods (Ammunition/Marine Pyrotechnics)" ([Form No. MIN f5](#)).
 - (b) a full description of each type of explosives and the maximum quantity to be stored;
 - (c) four copies of an A3/A4 size floor plan at an appropriate scale showing the floor where the proposed store is to be located (if the proposed store is located in a multi-storey building, layout plans showing the floors above and below of the proposed store must also be provided);
 - (d) four copies of an A3/A4 size location plan at an appropriate scale clearly indicating the location of the building in which the store is proposed and all surrounding buildings/public thoroughfares situated within 50m from the store; and
 - (e) a declaration that the proposed Mode B store does not violate the conditions of the "Deed of Mutual Covenant" of the premises.
- 2.3 Specific safety and storage compatibility requirements for processing an application for a Mode B store licence are given in Annex A.
- 2.4 If the submitted documents are in order, a site inspection will be carried out by Mines Division officers to determine the pre-licensing requirements. The site will be re-inspected when all the pre-licensing requirements have been met.

3. Granting a New Store Licence

- 3.1 Once the CoM is satisfied with the Mode B store licence application and the applicant has fulfilled all the pre-licensing requirements, the applicant will be notified within two working days that:
- (a) the application has been accepted;
 - (b) the licence conditions;
 - (c) requirements to nominate a store manager and an adequate number of storekeepers for day-to-day operation of the store, and to submit their HKID numbers and recent photographs; and
 - (d) the licence fee.
- 3.2 Mines Division will inform the nominated store manager and storekeepers to attend an interview and examination¹ to ensure that:
- (a) they have a basic knowledge of the safety requirement for the explosives to be stored;
 - (b) they are aware of their duties and responsibilities;
 - (c) they are aware of the licence conditions and legal requirements relevant to the Mode B store; and
 - (d) they acknowledge their duties and responsibilities by signing Annex B and Annex C, as appropriate.
- 3.3 Upon payment of the licence fee, the original copy of the store licence and the stock book will be issued to the licensee.

4. Renewal of a Store Licence

- 4.1 A Mode B store licence is normally valid for one year. The licensee must apply in writing to renew a Mode B store licence at least one month, but not more than 3 months, before the expiry date, together with the plans mentioned in para. 2.2 (c) & (d), and a statement on any changes in development, land or property within the “Separation Distance” required for the store as stated in Annex A.
- 4.2 If renewal of a store licence involves an amendment to the extant licence conditions (e.g. type or quantity of explosives items to be stored, location of the store, store manager or storekeepers), the licensee must submit additional information giving details of such changes in accordance with section 5.
- 4.3 After vetting the application and subject to satisfactory completion of any necessary site checks, the CoM will issue the renewed store licence in a similar manner as stated in section 3.

5. Amendment of a Store Licence

- 5.1 The licensee must apply in writing to amend a Mode B store licence at least one month

¹ If the nominated store manager and storekeepers have completed satisfactorily a “Mode B Storekeeper Training Course” recognised by the CoM, the examination arrangement can be waived.

before the planned change. The licensee is required to demonstrate that there is a genuine need for the proposed amendment.

- 5.2 If the application for amendment involves revision of the type or quantity of explosives items to be stored or relocation of an existing Mode B store, the licensee must submit the relevant information as listed in paras. 2.2 (b) to (e). For any new store manager or storekeepers, they must attend an interview and examination in accordance with para. 3.2.
- 5.3 After vetting the application and subject to satisfactory completion of any necessary site checks, the CoM will notify the licensee if the proposed amendment can be approved.
- 5.4 Upon payment of the licence amendment fee, the amended licence will be issued to the licensee.

6. Cancellation of a Store Licence

- 6.1 When a licensee decides not to renew a Mode B store licence or wants to cancel a licence before it expires, the licensee must seek agreement from the CoM on the arrangements for disposing of or transferring any remaining stock.
- 6.2 Upon cancellation of the store licence, the licensee will be required to return the licence and the stock book, and an officer from Mines Division will carry out a final inspection of the Mode B store to ensure that:
 - (a) the disposal of the stock has been undertaken properly; and
 - (b) the licensee has removed or covered up (by painting over) all the danger and warnings signs on the store or has dismantled the store.

7. Operation of a Licensed Store

- 7.1 The licensee, store manager and storekeepers must ensure that the safety and security of the explosives comply with the licence conditions, the Dangerous Goods Ordinance and the related Regulations.
- 7.2 The licensee must compile store rules and post them in a conspicuous place on or near the store and ensure that they are observed at all times. Store rules must highlight the licence conditions, relevant aspects of the Dangerous Goods Ordinance, essential procedures in handling explosives and rules to address the specific operational needs of the store. The store manager must ensure that the storekeepers and other staff are properly briefed on and understand the store rules. A typical set of store rules is given in Annex D.
- 7.3 The licensee must ensure that every issue or receipt of explosives is made in the presence of a store manager or storekeeper, properly recorded in the stock book and signed by the duty store manager or storekeeper.
- 7.4 The licensee must ensure that the Mode B store is checked by a store manager not less than at monthly interval to ensure that:
 - (a) the stock book has been kept up to date and has properly documented every

- record of stock movement;
- (b) the explosives in the store are not deteriorated or damaged;
- (c) there are no material changes to the surroundings of the store that affects the general safety and security of the store (e.g. any undesirable installations, such as power supplies, electrical appliances, sources of naked flame or heat close to the store, any inflammable materials close to the store or blocked fire escape routes); and
- (d) operation of the Mode B store complies with the legal requirements and the licence conditions.

Records of the checks must be kept for Mines Division officers to inspect.

- 7.5 Mines Division officers will carry out routine/surprise inspections of the Mode B store. The licensee must facilitate and provide necessary assistance to such officers in carrying out their duties.
- 7.6 The licensee will be required to rectify any non-compliance, irregularity or contravention identified during the store inspection. A Mines Division officer will re-inspect the store to confirm the completion of the rectification work.
- 7.7 In case of repeated non-compliances or irregularities, or serious contravention of the licence conditions or the Dangerous Goods Ordinance, the CoM will consider:
 - (a) revoking the Mode B store licence; and
 - (b) instigating legal action against the licensee.

Mines Division
March 2020

General guidance is provided in this Note. Specific requirements may be imposed by the Commissioner of Mines to suit the storage conditions and characteristics of the dangerous goods. Any feedback on this document should be sent to the Chief Geotechnical Engineer/Mines, Geotechnical Engineering Office, Civil Engineering and Development Department.

Telephone: (852) 3842 7210 Facsimile: (852) 2714 0193 Email: mines@cedd.gov.hk

Guidelines on the Requirements and Construction of a Mode B Store

1. Separation Distance Requirements

1.1 Tables 10 and 11 from the “Guidance on Explosives Regulations 2014 – Safety Provisions” published by the UK Health and Safety Executive (HSE) must be used to assess the separation distances required between a proposed Mode B store and adjacent development or another Mode B store. In determining the separation distance to protected works and/or various classes of buildings, two parameters are used:

- (a) the maximum net explosives content of the store; and
- (b) the Hazard Division for the explosives in question in accordance with the International Maritime Dangerous Goods Code (IMDG Code) (limited to Hazard Divisions 1.3 and 1.4 in the case of a Mode B store)

Extracts of the relevant HSE tables are given below:

Hazard Division 1.3 (equivalent to Hazard Type 3 in the Explosives Regulations 2014, UK)

Column 1	Distance in metres to protected works and/or buildings of							
Quantity of explosives (kg)	Class A Footpath, lightly used road	Class B Minor road, railway	Class C Major road, place of public resort	Class D Buildings	Class E Vulnerable building	Class F On-site buildings	Class G On-site stores	Class H On-site manufacture & processing
0.1–25	0	0	0	0	0	0	9	12
25–30	7	10	20	20	20	10	9	12
30–40	7	11	22	22	22	11	9	12
40–50	8	12	23	23	23	12	9	12
50–60	8	12	25	25	25	12	9	15
60–70	9	13	26	26	26	13	9	15
70–80	9	14	27	27	27	14	9	15
80–90	9	14	28	28	28	14	9	15
90–100	10	15	29	29	29	15	9	15
100–150	11	17	34	34	34	17	9	18
150–200	12	19	37	37	37	19	9	18

Hazard Division 1.4 (equivalent to Hazard Type 4 in the Explosives Regulations 2014, UK)

Column 1	Distance in metres to protected works and/or buildings of							
Quantity of explosives (kg)	Class A Footpath, lightly used road	Class B Minor road, railway	Class C Major road, place of public resort	Class D Buildings	Class E Vulnerable building	Class F On-site buildings	Class G On-site stores	Class H On-site manufacture & processing
0.1–200	0	0	0	0	0	0	9	11

Notes: For details on how to use the tables, consult the Guidance on Explosives Regulations 2014.

2. Storage Compatibility Requirements

- 2.1 Separate licensed stores will be required for incompatible groups of explosives in accordance with the IMDG Code or regulation 26 of DG(G)R.
- 2.2 Applicants should approach Mines Division for advice in determining the storage compatibility of explosives.

3. Construction of a Mode B Store

- 3.1 A Mode B store consists of a substantially constructed fireproof and lockable container (or a room), which is so constructed that neither inside nor outside has any exposed ferrous metal. The outside of the lid or door of the Mode B store must be painted in red and marked with the words “DANGER - EXPLOSIVES” and the characters “危險 - 爆炸品” in white of not less than 40mm in height.
- 3.2 A Mode B store must be kept in a compartment/room which is:
- lockable;
 - if the proposed store is located in a multi-storey building, not higher than 30m from the ground level;
 - not used as a store for any other categories of Dangerous Goods, and
 - equipped with at least one suitable fire extinguisher (for storage of manufactured fireworks, at least two) according to the recommendations in the relevant Material Data Safety Sheet (MSDS) and at a readily accessible location. The minimum size of fire extinguisher must be as follows:

Type of fire extinguisher	Minimum size of each fire extinguisher
Carbon Dioxide	4.5kg
Water	9litre
Dry Powder	5kg
Foam	9litre

- 3.3 A notice with the words “NO SMOKING OR NAKED FLAME” and the characters “不准吸煙或明火” and a dangerous goods placard showing the Class and Hazard Division of the explosives to be stored must be conspicuously displayed on the outside of the store.

4. Additional Requirements

- 4.1 An application for the storage of ammunition cartridges for small arms will require the endorsement of the Commissioner of Police and must be supported with a copy of the arms dealer licence or exemption permit.
- 4.2 Additional requirements may be imposed by the Fire Services Department, such as ventilation and display of a Category 1 Dangerous Goods sign (Figure 1).

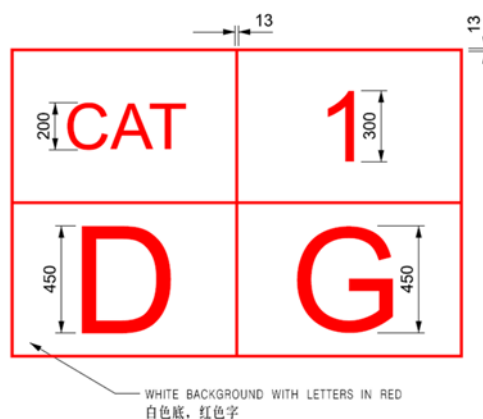


Figure 1



土木工程拓展署
Civil Engineering and
Development Department

土力工程處
Geotechnical Engineering Office

Name of store manager: _____

HKID No.: ()

Mobile Phone No.: _____

Store Licence No.: _____

Our Ref: _____

Recent
Photograph

Duties and Responsibilities of the Store Manager of a Mode B Store

I confirm that I undertake to manage the Mode B Store in strict compliance with the legal requirements, licence conditions and the following duties and responsibilities:

1. I am responsible for:
 - (a) liaising with Mines Division on matters relating to the Mode B store; and
 - (b) assuming the overall management responsibilities of the Mode B store on behalf of the licensee.
2. I confirm that I am familiar with and will comply fully with the following requirements in discharging my responsibilities:
 - (a) regulations 9 to 27 and 60 of DG(G)R, on Storage of Explosives to ensure the operation of the Mode B store follows the legal requirements;
 - (b) the licence conditions of the Mode B store;
 - (c) the Material Safety Data Sheets (MSDS) for the explosives to ensure the safety of staff members and the public; and
 - (d) the duties and responsibilities of the storekeepers of a Mode B Store (Annex C) and check that the storekeepers operate the Mode B store properly.
3. I am responsible for ensuring the Mode B store licence granted by the CoM is valid at all times and arranging for its renewal, amendment or cancellation by giving at least one month written notice.
4. I must certify each transaction record in the stock book and check the work of the storekeepers periodically.
5. I must, in company with the storekeeper, check the Mode B store not less than once per month to ensure that:
 - (a) the stock book has been kept up to date and every transaction has been properly documented;
 - (b) the explosives in the store are not deteriorated or damaged;
 - (c) there are no material changes to the surroundings of the store that affects the

- (d) general safety and security of the store; and
- (d) the operation of the Mode B store complies with the legal requirements and the licence conditions.

Records of the checks must be kept for Mines Division officers to inspect.

6. I must initiate and implement remedial measures for any non-compliances or irregularities found during routine operation or monthly checks, and must inform Mines Division of any major issues, such as discrepancies found between the physical stock and the record in the stock book.
7. I must immediately notify Mines Division if any explosives stored in the Mode B Store:
 - (a) exhibits signs of deterioration or damage, or
 - (b) have expired or exceeded the quantity approved under the licence.
8. Before receipt or issue of any explosives, I must ensure that:
 - (a) every receipt or issue of stock is covered by a valid removal permit, except for those exempted under the Dangerous Goods Ordinance or when the explosives are moved inside the premises specified in the licence conditions,
 - (b) prior to issuing any explosives, the duty storekeeper (or stock manager) checks the removal permit mentioned in item (a) and endorses the removal of the explosives by completing Part III of the removal permit for both the Bearer and the Licensee Copies, and
 - (c) the duty storekeeper (or stock manager) updates and initials the stock book immediately after a stock movement.
9. I must allow and, when necessary, assist in the inspection and any necessary re-inspection of the Mode B store by Mines Division officers and must implement any recommendations given by Mines Division.
10. If I cease to be the store manager, I must inform Mines Division in writing and advise the licensee on the need for a replacement.

Signature: _____

Date: _____

Name : ()
The Store Manager

Mines Division
March 2020



土木工程拓展署
Civil Engineering and
Development Department

土力工程處
Geotechnical Engineering Office

Name of store keeper: _____

HKID No.: ()

Mobile Phone No.: _____

Store Licence No.: _____

Our Ref: _____

Recent
Photograph

Duties and Responsibilities of the Storekeeper of a Mode B Store

I confirm that I undertake to operate the Mode B store in strict compliance with the legal requirements, licence conditions and the following duties and responsibilities:

1. I am responsible for:
 - (a) the day-to-day operation of the store;
 - (b) updating the stock book immediately after a stock movement; and
 - (c) allowing and, when necessary, assisting in the inspection of the Mode B store by Mines Division officers.
2. I confirm that I am familiar with and will follow strictly:
 - (a) the licence conditions of the Mode B store;
 - (b) the Materials Safety Data Sheets (MSDS) of the explosives stored in the Mode B store; and
 - (c) the basic legal requirements and penalties related to the operation of a Mode B store.
3. I must ensure that the Mode B store does not contain any unauthorized materials other than those approved in the licence and that the actual stock balance does not exceed the licensed quantity.
4. I must report to the store manager immediately for action if any explosives:
 - (a) are found missing;
 - (b) exceed the permissible quantity of the Mode B store licence;
 - (c) exhibit any signs of deterioration or damage;
 - (d) are improperly packed, stacked or incorrectly labelled; or
 - (e) have expired.
5. I must keep the stock book at a secure location near or in the Mode B store.
6. I must ensure that the Mode B store is securely locked and the key to the store is kept by me at all times. Only the store manager and storekeepers nominated by the licensee, who have been approved by and registered with the CoM, are permitted to open the

Mode B store.

7. I must take precautions to prevent any unauthorized person from obtaining access to the Mode B store and report to the store manager immediately if there is an unauthorized entry.
8. I must handle all explosives with due care at all times. The explosives must be kept away from flammable materials and other possible sources of ignition.
9. I must ensure that the room or compartment housing the Mode B store is equipped with serviceable and suitable fire extinguishers, at a readily accessible location, and that I am familiar with how to use the fire extinguishers for fighting small fires not involving explosives in the vicinity of the Mode B store.
10. In case of a fire involving explosives in the Mode B store, I must immediately evacuate the store area and cordon off the danger zone, and must immediately inform the Fire Services Department, Police, the store manager and the CoM of the incident.
11. I must not allow any repair work in the Mode B store unless permitted by the store manager and only when all explosives have been removed.
12. I understand that every receipt or issue of stock must be covered by a valid removal permit, except for those exempted under the Dangerous Goods Ordinance or when explosives are moved inside the premises specified in the licence conditions.
13. I must ensure that removal permits and associated documents are properly filed and kept for the inspection of Mines Division's officers.
14. I must maintain an up to date record of all transactions of explosives in the stock book and initial each transaction to certify that all entries are correct.
15. Before issuing any explosives from the Mode B store, I must obtain the agreement of the store manager and must:
 - (a) ensure that the vehicle to be used is equipped with a serviceable fire extinguisher and displays a standard red flag;
 - (b) check that the type of vehicle to be used and its registration number are the same as those specified on the removal permit(s); and
 - (c) check that the removal permit produced is valid and endorse the removal of the explosives by completing Part III of the removal permit for both the Bearer and the Licensee Copies.

Signature: _____

Date: _____

Name : ()
The Storekeeper

Mines Division
March 2020

Typical Store Rules

1. Permitted Storage

- (a) Only stock approved in the licence can be stored.
- (b) Stock must not exceed the quantity approved in the licence.
- (c) Unauthorized material must not be stored.

2. Security Requirements

- (a) The store must be locked securely when not in use.
- (b) Only an authorized storekeeper/store manager is allowed access to the store.

3. Fire Safety Requirements

- (a) No smoking is permitted when the store is open.
- (b) The fire escape route from the store must be kept clear.
- (c) The fire extinguishers must be serviceable.

4. Storage Requirements

- (a) The store must be inspected by the store manager at least once per month.
- (b) Any stock found lost/deteriorated/expired/damaged must be reported to the CoM.
- (c) Old stock must be used before new stock.
- (d) Only one package of the same stock is allowed to be open at any one time.
- (e) The stock book must be kept near or in the store.
- (f) The store must not be moved or relocated without prior approval of the CoM.

5. Receipt and Issue of Stock

- (a) The storekeeper must check and initial the removal permit whenever stock is issued and file the Licensee Copy.
- (b) The stock book must be updated immediately after each transaction.

6. Maintenance Requirements

- (a) The store must be kept clean and free from rubbish and packing materials.
- (b) Water must be excluded from the store.
- (c) No repair or maintenance is permitted unless all stock has been removed.