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STATUTORY RULES OF NORTHERN IRELAND

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**2014 No. 224**

**The Control of Explosives Precursors  
etc. Regulations (Northern Ireland) 2014**

**PART 3**

Obligations on licence holders

**General obligations**

- 8.—(1) A licence holder must, on request by the Secretary of State or an authorised officer—
- (a) provide the licence for inspection;
  - (b) permit inspection of any tier 1 substance or tier 2 substance covered by the licence;
  - (c) permit inspection of the location where the substance is stored; and
  - (d) provide information in relation to any of the matters in regulation 5(6) or any terms and conditions of the licence.
- (2) A licence holder must notify to the Secretary of State as soon as reasonably practicable if the licence holder becomes aware of—
- (a) the loss or theft of the licence;
  - (b) a change of address of the licence holder or the responsible person;
  - (c) the charge or conviction of the licence holder or the responsible person of any criminal offence, whether in Northern Ireland, elsewhere in the United Kingdom, or in any other place; and
  - (d) any change that would reasonably affect any of the matters in regulation 5(6) or any terms and conditions of the licence.
- (3) A licence holder must return the licence to the Secretary of State immediately on its expiry.
- (4) A licence holder must provide the licence for inspection when requested to do so by a person from whom the licence holder seeks to acquire a tier 1 substance or a tier 2 substance (see regulations 12 and 13).
- (5) A licence holder must immediately return any licence that has been amended, varied, suspended or revoked to the Secretary of State.

**Tier 1 substances: consent to acquisition, transport and import**

- 9.—(1) A licence holder must not acquire, transport through any public place in Northern Ireland or import into Northern Ireland more than 500 grams by weight or 500 millilitres by measure of a tier 1 substance, or undertake to do so, unless—
- (a) the licence holder has applied in writing <sup>M1</sup> for the consent of the Chief Constable; and
  - (b) the Chief Constable has given consent in writing.
- (2) An application under paragraph (1)(a) is valid only if it—

- (a) is in a form approved by the Secretary of State;
  - (b) contains such information as may be required by the form;
  - (c) in the case of acquisition, contains the name and address of the proposed supplier; and
  - (d) includes the signature of—
    - (i) the applicant, and
    - (ii) in the case of an application by an organisation, the responsible person.
- (3) An application under paragraph (1)(a) must be made—
- (a) not less than 14 days before the date on which the acquisition, transport or import is to take place; or
  - (b) if that is not reasonably practicable, by a later date as agreed by the Chief Constable.
- (4) Consent under paragraph (1)(b)—
- (a) must be in a form approved by the Secretary of State;
  - (b) in the case of acquisition, must include the name and address of the proposed supplier;
  - (c) may include such conditions relating to transport, storage or use of the tier 1 substance as the Chief Constable thinks fit; and
  - (d) may be withdrawn by the Chief Constable by notice to the applicant (which may include notifying the applicant orally if notice in writing is not reasonably practicable).
- (5) This regulation does not apply to—
- (a) Forensic Science Northern Ireland; and
  - (b) the Commissioners of Irish Lights.

#### **Marginal Citations**

- M1** “Writing” includes include words typewritten, printed, painted, engraved, lithographed, photographed or represented or reproduced by any mode of representing or reproducing words in a visible form (section 46, Interpretation Act (Northern Ireland) 1954).

#### **Tier 1 substances: record keeping**

**10.—(1)** A person who holds a licence in respect of a tier 1 substance must complete a record in respect of each supply, acquisition and import into Northern Ireland of a tier 1 substance carried out under the licence, which contains—

- (a) the date of the transaction;
  - (b) the nature and quantity of the tier 1 substance;
  - (c) whether the transaction is acquisition, supply or import into Northern Ireland;
  - (d) the name and address of any person—
    - (i) from whom the licence holder has acquired the tier 1 substance, or
    - (ii) to whom the licence holder has supplied the tier 1 substance; and
  - (e) the matters required to be included by regulation 12(8) (where applicable).
- (2) The record kept in accordance with the paragraph (1) must—
- (a) be completed by the licence holder at the time of the transaction;
  - (b) include a separate entry for each substance in each transaction;
  - (c) be retained by the licence holder for a period of two years; and

- (d) be provided to the Secretary of State or an authorised officer for inspection on request.
- (3) A person who holds a licence in respect of a tier 1 substance must retain for a period of two years, and produce to the Secretary of State or an authorised officer for inspection on request, any invoice, consignment note, receipt and consent relating to any supply, acquisition, import into Northern Ireland, disposal or transport of a tier 1 substance to which the licence holder is a party.

**Changes to legislation:**

There are currently no known outstanding effects for the The Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014, PART 3.