
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 224

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

PART 2

Control of tier 1 substances and tier 2 substances

Control of tier 1 substances

3.—(1) A person must not deal with a tier 1 substance except under, and in accordance with, a licence granted by the Secretary of State under regulation 5.

(2) A “tier 1 substance” means a substance mentioned in column 1 of the table in Schedule 1 or any mixture containing that substance, but does not include a mixture falling within the exception in column 2 of that table.

(3) A person deals with a tier 1 substance if that person—

- (a) supplies the substance;
- (b) acquires the substance;
- (c) imports the substance into Northern Ireland⁽¹⁾;
- (d) possesses the substance; or
- (e) uses the substance.

(4) But a person (“P”) is not to be regarded as possessing or acquiring a tier 1 substance if—

- (a) the substance is being transported (including being loaded or unloaded and during breaks which are reasonably incidental to completing the journey within a reasonable length of time);
- (b) P is in possession of the substance only by reason of being—
 - (i) a carrier,
 - (ii) a person engaged in the work of loading or unloading, or
 - (iii) the occupier of a place it passes through while on the journey;
- (c) P is acting for purposes connected with P’s trade, business or profession; and
- (d) the substance is under the direction and control of the licence holder.

(5) Paragraph (1) does not apply to—

- (a) any department under the control of a Minister of the Crown (within the meaning of the Ministers of the Crown Act 1975⁽²⁾);
- (b) the armed forces of the Crown;

(1) Under the Health and Safety at Work (Northern Ireland) Order 1978, and these Regulations, “Northern Ireland” includes the territorial sea adjacent to Northern Ireland.

(2) 1975 c. 26; there are no relevant amendments.

- (c) an inspector appointed under Article 21 of the 1978 Order, acting as such;
- (d) a police officer, acting as such; or
- (e) an authorised officer, acting as such.