
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 2 substances

4.—(1) Notwithstanding the prohibition in Article 4(1) of the Precursors Regulation, a member of the general public may deal with a tier 2 substance under, and in accordance with, the terms of—

- (a) a licence granted by the Secretary of State under regulation 5; or
- (b) a recognised non-NI licence.

(2) A “tier 2 substance” means a “restricted explosives precursor”^{M1} within the meaning of Article 3 of the Precursors Regulation, but in each case only if the substance or mixture is not a tier 1 substance.

(3) A member of the general public deals with a tier 2 substance if that person—

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

Marginal Citations

M1 Under Article 3(10) of the Precursors Regulation, a “restricted explosives precursor” means a substance listed in Annex I to the Precursors Regulation in a concentration higher than the corresponding limit value set out for that substance in that Annex, and includes a mixture or another substance in which the substance listed in that Annex is present in a concentration higher than the corresponding limit value, but in each case only if the substance or mixture is not excluded by Article 2(2) of the Precursors Regulation. Article 2(2) excludes: (a) any article, defined as an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition; (b) an article containing explosive substances or an explosive mixture of substances designed to produce heat, light, sound, gas or smoke or a combination of such effects through self-sustained exothermic chemical reactions, including (i) pyrotechnic equipment falling within the scope of Council Directive 96/98/EC (OJ L 46, 17/02/1997, p. 25–56) on marine equipment, and (ii) percussion caps intended specifically for toys falling within the scope of Council Directive 88/378/EEC (OJ L 187, 16/07/1988, p. 1–13) concerning the safety of toys; and (c) medicinal products, which in Northern Ireland will mean: (i) a medicinal product within the meaning of regulation 2 of the [Human Medicines Regulations 2012 \(S.I. 2012/1916\)](#), (ii) an investigational medicinal product within the meaning of regulation 2 of the [Medicines for Human Use \(Clinical](#)

Status: Point in time view as at 02/09/2014.

Changes to legislation: There are currently no known outstanding effects for the *The Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014, Section 4.* (See end of Document for details)

[Trials\) Regulations 2004 \(S.I. 2004/1031\)](#), (iii) a substance to which Part 12 of the Human Medicines Regulations 2012 or Part 6 of the Medicines for Human Use (Clinical Trials) Regulations 2004 applies by virtue of an order under section 104 or 105 of the [Medicines Act 1968 \(c. 67\)](#) (whether applying subject to exceptions or notifications or not and, in the case of an order under section 104, whether the substance is referred to in the order as a substance or an article), or (iv) a veterinary medicinal product within the meaning of regulation 2 of the [Veterinary Medicines Regulations 2013 \(S.I. 2013/2033\)](#).

Status:

Point in time view as at 02/09/2014.

Changes to legislation:

There are currently no known outstanding effects for the The Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014, Section 4.