
STATUTORY RULES OF NORTHERN IRELAND

2016 No. 366

**The Making Available on the Market and Supervision of
Transfers of Explosives Regulations (Northern Ireland) 2016**

PART 3

**SUB-PART A: MAKING AVAILABLE ON THE MARKET – OBLIGATIONS
OF ECONOMIC OPERATORS, SUB-PART B: CONFORMITY ASSESSMENT,
SUB-PART C: NOTIFICATION OF CONFORMITY ASSESSMENT BODIES**

ALL ECONOMIC OPERATORS

Translation of a declaration of conformity

28.—(1) Before making a civil explosive available on the market, an economic operator must ensure that the EU declaration of conformity is prepared in, or translated into, the language required by the EEA State in which it is to be made available on the market.

(2) Where the civil explosive is to be made available on the market in the United Kingdom, the language required is English.

Identification of economic operators

29.—(1) This regulation applies in relation to civil explosives excluded from the scope of regulations 4, 5 and 6 of ITOER (NI) 2013 by virtue of regulation 3(2).

(2) An economic operator (“E”) who receives a request from the market surveillance authority before the end of the relevant period, must, within such period as the authority may specify, identify to the market surveillance authority—

- (a) any economic operator who has supplied E with a civil explosive to which this regulation applies; and
- (b) any economic operator to whom E has supplied a civil explosive to which this regulation applies.

(3) The relevant period is—

- (a) for information under paragraph (2)(a), a period of 10 years beginning on the day on which E was supplied with the civil explosive;
- (b) for information under paragraph (2)(b), a period of 10 years beginning on the day on which E supplied the civil explosive.

Prohibition on improper use of CE marking

30.—(1) An economic operator must not affix the CE marking to a civil explosive unless—

- (a) that economic operator is the manufacturer; and

- (b) the conformity of the civil explosive with the essential safety requirements has been demonstrated by a relevant conformity assessment procedure.
- (2) An economic operator must not affix to a civil explosive a marking (other than the CE marking) which purports to attest that the civil explosive is in conformity with the essential safety requirements.
- (3) An economic operator must not affix to a civil explosive a marking, sign or inscription which is likely to mislead any other person as to the meaning or form of the CE marking.
- (4) An economic operator must not affix to a civil explosive any other marking if the visibility, legibility and meaning of the CE marking would be impaired as a result.