
STATUTORY INSTRUMENTS

2014 No. 1638

HEALTH AND SAFETY

The Explosives Regulations 2014

Made - - - - 23rd June 2014

Laid before Parliament 1st July 2014

Coming into force in accordance with regulation 1

THE EXPLOSIVES REGULATIONS 2014

PART 1

INTRODUCTION

1. Citation and commencement
2. Interpretation
3. Application and extent

PART 2

AUTHORISATIONS

4. Authorisation to acquire or acquire and keep explosives
5. (1) Subject to paragraph (3), no person may acquire any...
6. Authorisation to manufacture explosives
7. Authorisation to store explosives
8. Authorisation to transfer civil explosives
9. Prohibition concerning the acquisition and supply of fireworks

PART 3

DEFENCES IN RELATION TO REGULATIONS 5 TO 7

10. Defence

PART 4

APPLICATIONS FOR AND GRANT OF AUTHORISATIONS

11. Application for and issuing of an explosives certificate to acquire or acquire and keep any relevant explosive
12. Applications for licences to manufacture or store explosives

Status: This is the original version (as it was originally made).

13. Grant of licences
14. Local authority assent procedure in relation to licence applications
15. Registers and retention of documents

PART 5

VARIATION AND TRANSFER OF AUTHORISATIONS TO MANUFACTURE OR STORE EXPLOSIVES AND DEATH, BANKRUPTCY OR INCAPACITY OF A LICENSED PERSON

16. Variation of licences
17. Transfer of licences
18. Death, bankruptcy or incapacity of a licensee

PART 6

REFUSALS OF AUTHORISATIONS

19. Refusal of an explosives certificate
20. Refusal of a licence and draft licence and refusal of a renewal or transfer of a licence

PART 7

REVOCAATION OF AUTHORISATIONS AND APPEALS AGAINST CERTAIN DECISIONS

21. Revocation and expiry of an explosives certificate
22. Appeals and applications to the Crown Court or Sheriff
23. Revocation of a licence

PART 8

LICENCES FOR SITES WHICH CEASE TO BE, OR BECOME, ONR REGULATED SITES

24. Licences for sites which cease to be ONR regulated sites
25. Licences for sites which become ONR regulated sites

PART 9

SAFETY OF EXPLOSIVES

26. Fire and explosion measures
27. Separation distances
28. Discarding or disposing of explosives and decontamination of explosive-contaminated items
29. Prohibitions concerning manufacture, storage and importation of certain explosives

PART 10

SECURITY OF EXPLOSIVES: PREVENTING UNAUTHORISED ACCESS OR ACQISITION

30. Unauthorised access
31. Prohibitions concerning the transfer of relevant explosives
32. Restrictions on prohibited persons

PART 11

SECURITY OF EXPLOSIVES: TRACEABILITY, RECORDS AND REPORTING LOSS

33. Unique identification of civil explosives

34. Attribution of manufacturing site codes for civil explosives
35. Records in relation to relevant explosives
36. Records in relation to civil explosives
37. Reporting loss

PART 12

SECURITY PROVISIONS IN RELATION TO PLASTIC EXPLOSIVES

38. Prohibitions in relation to unmarked plastic explosive

PART 13

PLACING ON THE MARKET OF CIVIL EXPLOSIVES

39. Placing on the market of civil explosives
40. Conformity attestation
41. Notified bodies
42. CE marking

PART 14

ENFORCEMENT OF THE REGULATIONS

43. Enforcement within Great Britain
44. Enforcement outside Great Britain
45. Enforcement powers in relation to regulation 8 and Part 13

PART 15

POWER TO GRANT EXEMPTIONS AND MISCELLANEOUS PROVISIONS

46. Exemptions
47. Savings and transitional provisions
48. Repeals, revocations and amendments
49. Review
Signature

SCHEDULE 1 — MEANING OF “LICENSING AUTHORITY”

1. Subject to paragraphs 2 to 5, “licensing authority” means—
2. In any case falling within paragraph 1(a) and subject to...
3. Where a person wishes to manufacture and store explosives at...
4. The ONR is the licensing authority in relation to any...
5. The applicant may only apply to the Executive pursuant to...

SCHEDULE 2 — EXPLOSIVES NOT REQUIRING AN EXPLOSIVES CERTIFICATE

PART 1 — LIST OF EXPLOSIVES

PART 2 — FURTHER LIST OF EXPLOSIVES

1. Ammunition intended for use in small arms.
2. Ammunition consisting of a propelling charge and an inert projectile...
3. Blank ammunition intended for use in small arms.
4. Cartridges, which are empty but with a primer which—
5. Cartridges power device which— (a) is assigned in accordance with...
6. A desensitised explosive which is— (a) a medicinal product as...

Status: This is the original version (as it was originally made).

7. A desensitised explosive which is a substance specified in an...
8. Any desensitised explosive acquired, in a quantity not exceeding 5...
9. Any desensitised explosive acquired, in a quantity not exceeding 1...
10. Explosive articles which— (a) are assigned in accordance with the...
11. The explosive substance Isosorbide Dinitrate which has been desensitised by...
12. The explosive substance Nitrogen Triiodide with the chemical formulation NI₃,...
13. A solution of the explosive substance Nitroglycerine in alcohol which...
14. Any pyrotechnic substance, in a quantity not exceeding 0.5 grams,...
15. The explosive substance smokeless powder which is—
16. A solution of the explosive substance 2,4, 6- Trinitrophenol in...

SCHEDULE 3 — PYROTECHNIC ARTICLES REQUIRING AN EXPLOSIVES CERTIFICATE

1. Pyrotechnic articles which are or would, if packaged for transport,...
2. Pyrotechnic articles which— (a) are or would, if packaged for...
3. Pyrotechnic articles which— (a) are or would, if packaged for...
4. Pyrotechnic articles which— (a) are or would, if packaged for...
5. Tracers for ammunition which are or would, if packaged for...

SCHEDULE 4 — REGISTERS

1. The licensing authority must maintain a register (“the register”) containing...
2. The following information must be included in the register—
3. Subject to paragraphs 7 and 8, where the licence only...
4. Subject to paragraphs 7 and 8, where the licence relates...
5. The register may be kept in any form, including electronically....
6. The licensee in relation to any site in which explosives...
7. The requirements of paragraphs 3 and 4 do not apply...
8. The requirements of paragraphs 3 and 4 do not apply...
9. Where the licensing authority is a local authority or the...
10. Nothing in this Schedule prevents a licensing authority from disclosing...
11. For the purposes of paragraph 10, “local planning authority” and...

SCHEDULE 5 — SEPARATION DISTANCES

1. (1) In this Schedule— “brick-built” means having an outer structure...
2. Where the storage is— (a) of hazard type 1 explosive...
3. For each of Table 1, 3, 4 or 5 where...
4. (1) Paragraph 5 is subject to paragraph 6.
5. The distance between a store and any protected place of...
6. Where— (a) Table 1, 3, 4 or 5 applies; and...
7. The distance between a store and any protected place of...
8. For cases where sub-paragraph (b) of paragraph 7 is being...

SCHEDULE 6 — UNIQUE IDENTIFICATION FOR CIVIL EXPLOSIVES

1. Subject to paragraph 2, the unique identification must comprise—
2. For articles too small to affix the unique product code...

SCHEDULE 7 — MARKING OR AFFIXING THE UNIQUE IDENTIFICATION TO CIVIL EXPLOSIVES

1. Cartridged explosives and explosives in sacks
2. Packaged two-component explosives

3. Plain detonators
4. Electric, non-electric and electronic detonators
5. Primers and boosters
6. Detonating cords
7. Cans, boxes and drums containing explosives
8. Civil explosives not referred to in paragraphs 1 to 7
9. General
10. Small explosive articles

SCHEDULE 8 — MEANING OF “PLASTIC EXPLOSIVE” AND “DETECTION AGENT”

PART 1 — PLASTIC EXPLOSIVE

1. For the purposes of regulation 38, “plastic explosive” means an...
2. The following explosives, even if meeting the description of plastic...
3. In this Part “high explosives” include, but are not restricted...

PART 2 — DETECTION AGENTS

SCHEDULE 9 — ESSENTIAL SAFETY REQUIREMENTS

PART 1 — GENERAL REQUIREMENTS

1. Each civil explosive must be designed, manufactured and supplied in...
2. Each civil explosive must attain the performance characteristics specified by...
3. Each civil explosive must be designed and manufactured in such...

PART 2 — SPECIAL REQUIREMENTS

4. As a minimum, the following information and properties—where appropriate—must be...
5. The various groups of civil explosives must at least also...

SCHEDULE 10 — CONFORMITY MARKING

SCHEDULE 11 — ENFORCEMENT WITHIN GREAT BRITAIN

PART 1 — INTRODUCTORY

1. (1) This Schedule makes provision for the enforcement of these...

PART 2 — ENFORCEMENT OF PROVISIONS

2. Enforcement in respect of the manufacture and storage of explosives
3. A licensing authority is the enforcing authority for regulation 3...
4. The enforcing authority for regulation 13(8) as it applies in...
5. Enforcement in respect of discarding, disposal and decontamination
6. (1) The enforcing authority for regulation 28 where a person...
7. Enforcement in respect of import of chlorate mixtures
8. Enforcement in respect of acquisition and supply of fireworks
9. Enforcement in respect of explosives certificates and access to relevant explosives
10. Enforcement in respect of identification and traceability
11. (1) The enforcing authority for regulation 34 is the Executive....
12. Enforcement in respect of record keeping
13. The enforcing authority for regulation 36— (a) at a site...
14. Enforcement in respect of unmarked plastic explosives
15. Enforcement in respect of transfers, and the placing on the market, of civil explosives

SCHEDULE 12 — ENFORCEMENT POWERS IN RESPECT OF TRANSFERS, AND THE PLACING ON THE MARKET, OF CIVIL EXPLOSIVES

Status: This is the original version (as it was originally made).

1. This Schedule applies in relation to the enforcement of —...
2. In relation to the enforcement of the provisions referred to...
3. For the purposes of the enforcement of the provisions referred...
4. Civil explosives which do not satisfy the requirements of regulation 39(1) (a) and (b)
5. Where it is satisfied that civil explosives in respect of...
6. Explosives which may compromise safety when used for their intended purpose
7. Supplementary provisions
8. A notice referred to in paragraph 6 may be served...
9. A notice referred to in paragraphs 4 to 6—

SCHEDULE 13 — AMENDMENTS

PART 1 — AMENDMENTS TO PRIMARY LEGISLATION

1. Explosives Act 1875
2. London Building Act 1930
3. Fireworks Act 1951
4. Customs and Excise Management Act 1979
5. Isle of Man Act 1979
6. Environmental Protection Act 1990
7. Fireworks Act 2003
8. Energy Act 2013

PART 2 — AMENDMENTS TO SECONDARY LEGISLATION

9. The Clean Air (Emission of Dark Smoke) (Exemption) Regulations 1969
10. The Explosives Acts 1875 and 1923 etc. (Repeals and Modifications) Regulations 1974
11. The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
12. The Isles of Scilly (Functions) Order 1979
13. The Dangerous Substances in Harbour Areas Regulations 1987
14. The Planning (Hazardous Substances) Regulations 1992
15. Coal and Other Safety-Lamp Mines (Explosives) Regulations 1993
16. The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993
17. The Health and Safety (Enforcing Authority) Regulations 1998
18. The Visiting Forces and International Headquarters (Application of Law) Order 1999
19. The Quarries Regulations 1999
20. Building (Scotland) Regulations 2004
21. The REACH Enforcement Regulations 2008
22. The Health and Safety (Miscellaneous Amendments and Revocations) Regulations 2009
23. The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009
24. The Building Regulations 2010
25. The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011
26. The Health and Safety (Fees) Regulations 2012
27. In regulation 1(4) (citation, commencement and interpretation), for “explosives certificate,...
28. (1) In regulation 9 (fees payable under the Manufacture and...
29. In Schedule 8 (fees payable under the Manufacture and Storage...
30. The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013

31. The Reporting of Injuries, Diseases and Dangerous Occurrences
Regulations 2013

SCHEDULE 14 — REPEALS AND REVOCATIONS

PART 1 — REPEALS

PART 2 — REVOCATIONS

Explanatory Note