
STATUTORY INSTRUMENTS

2014 No. 1638

The Explosives Regulations 2014

PART 13

PLACING ON THE MARKET OF CIVIL EXPLOSIVES

Placing on the market of civil explosives

- 39.**—(1) No person may place any civil explosives on the market unless—
- (a) the civil explosives satisfy such of the essential safety requirements as apply to those civil explosives; and
 - (b) the conformity of the civil explosives to the requirements of this Part has been attested in accordance with regulation 40; and
 - (c) the CE marking has been affixed to the civil explosives in accordance with regulation 42.
- (2) For the purposes of paragraph (1), civil explosives are to be treated as satisfying the essential safety requirements if they conform to any relevant national standard.
- (3) For the purposes of this regulation, “national standard” means a standard of a member State—
- (a) which transposes a relevant harmonised standard; and
 - (b) the reference number of which has been published by that member State pursuant to Article 4.1 of the Civil Uses Directive.
- (4) For the purpose of this regulation, civil explosives are placed on the market when they are first supplied or made available to any person with a view to their distribution or use within an EEA state⁽¹⁾ or are imported, except with a view to re-export, from outside the area of the EEA states, and “place on the market” is to be construed accordingly.
- (5) In this regulation, “the essential safety requirements” means the requirements listed in Schedule 9.

⁽¹⁾ Council Directive [93/15/EEC](#) of 5th April 1993 applies in relation to the EEA by virtue of Decision No. 7/94 of 21st March 1994 of the EEA Joint Committee amending Protocol 47 and certain Annexes to the EEA Agreement (OJ No. L160, 28.6.1994, p.1).