

---

STATUTORY INSTRUMENTS

---

**2014 No. 1638**

**The Explosives Regulations 2014**

**PART 7**

**REVOCAION OF AUTHORISATIONS AND  
APPEALS AGAINST CERTAIN DECISIONS**

**Revocation and expiry of an explosives certificate**

**21.**—(1) A chief officer of police may revoke an explosives certificate which that chief officer of police has issued if, at any time, that chief officer of police is satisfied that the holder was not when the explosives certificate was issued, or is no longer, a fit person to hold an explosives certificate in the terms of that explosives certificate.

(2) A chief officer of police must revoke an explosives certificate which that chief officer of police has issued if, at any time, that chief officer of police is satisfied that any of the conditions in paragraph (1) or (2) of regulation 19 was not met when the explosives certificate was issued, or is no longer met.

(3) An explosives certificate ceases to be valid—

- (a) 5 years after the date of issue; or
- (b) after such lesser time as may be stated therein; or
- (c) after notice of revocation by the chief officer of police for the relevant police force has been served on the holder of the certificate,

whichever happens first.

(4) The holder of an explosives certificate must surrender it to the chief officer of police who issued it immediately after a notice of revocation has been served on that holder under paragraph (3) (c).

**Appeals and applications to the Crown Court or Sheriff**

**22.**—(1) A person aggrieved by any decision of a chief officer of police to refuse an explosives certificate under regulation 19 or to revoke an explosives certificate under regulation 21 may appeal within 21 days of receiving notice of that decision.

(2) An appeal under this regulation in England and Wales is to be to the Crown Court and in Scotland is to be to the sheriff by way of summary application.

(3) The court hearing an appeal under this regulation may dismiss the appeal or allow the appeal and give directions to the chief officer of police to issue or restore the explosives certificate.

(4) A prohibited person may apply to the Crown Court or, in Scotland, to the sheriff by way of summary application for an order that that person is no longer a prohibited person and the court hearing any such application may make an order exempting that person from the provisions of these Regulations relating to a prohibited person.

### **Revocation of a licence**

**23.**—(1) The licensing authority which grants a licence may, subject to paragraphs (3), (4), (5) and (6), revoke that licence—

- (a) where there has been a change in circumstances such that the site or, within it, any place in which explosives are manufactured or stored which the licence relates to is no longer suitable for that manufacture or storage;
- (b) where it appears to the licensing authority on information obtained by it after the grant of the licence that the licensee is not a fit person—
  - (i) to store explosives, in the case of a person licensed to store explosives; or
  - (ii) to manufacture explosives, in the case of a person licensed to manufacture explosives; or
- (c) by agreement with the licensee.

(2) A person whose licence is revoked must ensure that—

- (a) all explosives are removed from a site as soon as is practicable after revocation of a licence in respect of that site;
- (b) those explosives are deposited at a site which is the subject of a licence which permits any storage resulting from that depositing, or suitable arrangements are made for those explosives to be disposed of; and
- (c) the licence is returned to the licensing authority within 28 days of the date that the revocation takes effect pursuant to paragraph (6).

(3) Where a licensing authority proposes to revoke a licence, it must, before taking any such action, notify the licensee of its proposed course of action and afford that person the opportunity of making representations to the licensing authority about it, within a period of 28 days from the date of the notification.

(4) Representations made for the purpose of paragraph (3) may be made in writing, or both in writing and orally.

(5) Where the licensing authority decides to revoke a licence, it must provide in writing to the licensee the reasons for its decision.

(6) Where the licensing authority revokes a licence, that revocation takes effect from a date to be determined by the licensing authority which must be a date after the 28 day period referred to in paragraph (3).