

## SCHEDULE 13

### AMENDMENTS

#### PART 1

#### AMENDMENTS TO PRIMARY LEGISLATION

##### **Explosives Act 1875**

- 1.—(1) The Explosives Act 1875(1) is amended as follows.
- (2) Omit sections 23 and 61.
- (3) In section 74 (seizure and detention of explosives liable to forfeiture) —
  - (a) in the opening words, omit “any inspector appointed by the Health and Safety Executive under section 19 of the 1974 Act, or”;
  - (b) in subsection (1)—
    - (i) for the words from “he is an inspector” to “a justice”, substitute “he is authorised by an order from a justice”; and
    - (ii) omit “or of an inspector appointed by the Health and Safety Executive under section 19 of the 1974 Act,”; and
  - (c) after subsection (6), omit the words from “In this section” to the end of the section.

##### **London Building Act 1930**

2. In section 143 of the London Building Act 1930(2) (regulations for building near dangerous business), in subsection (4)(a), for “the Manufacture and Storage of Explosives Regulations 2005” substitute “the Explosives Regulations 2014”.

##### **Fireworks Act 1951**

3. The Fireworks Act 1951(3) is repealed.

##### **Customs and Excise Management Act 1979**

4. In section 75(1) of the Customs and Excise Management Act 1979(4) (explosives), for “the Manufacture and Storage of Explosives Regulations 2005” substitute “the Explosives Regulations 2014”.

##### **Isle of Man Act 1979**

5. In section 8(2) of the Isle of Man Act 1979(5) (removal of goods from Isle of Man to United Kingdom)—
  - (a) at the end of paragraph (b) insert “or”; and

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(1) 1875 c. 17 (38 & 39 Vict.); section 23 was substituted by S.I. 2005/1082 in relation to England, Wales and Scotland. Sections 61 and 74 were amended by the Energy Act 2013 (C. 32), Schedule 12, Part 5, paragraphs 50 and 52 and section 61 was additionally amended by S.I. 1974/1885.

(2) 1930 c. clviii; section 143(4)(a) was amended by S.I. 2005/1082.

(3) 1951 c. 58.

(4) 1979 c.2; section 75(1) was amended by S.I. 2005/1082.

(5) 1979 c.58; section 8(2)(b) to (d) was amended by S.I. 2005/1082.

*Status: This is the original version (as it was originally made).*

(b) for paragraphs (c) and (d) substitute —

“(c) any explosives the importation of which into the United Kingdom is prohibited by regulation 29 of the Explosives Regulations 2014.”.

### **Environmental Protection Act 1990**

6. In section 142(7) of the Environmental Protection Act 1990(6) (powers to obtain information about potentially hazardous substances), for “the Manufacture and Storage of Explosives Regulations 2005” substitute “the Explosives Regulations 2014”.

### **Fireworks Act 2003**

7. In section 14(2) of the Fireworks Act 2003(7) (prohibition of supply etc. of other explosives), for “the Explosives Act 1875 (c. 17)” substitute “the Explosives Regulations 2014”.

### **Energy Act 2013**

8.—(1) The Energy Act 2013(8) is amended as follows.

(2) In Schedule 12 (minor and consequential amendments relating to Part 3), omit paragraphs 50 to 52.

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(6) 1990 c.43; the entry relating to the Manufacture and Storage of Explosives Regulations 2005 in section 142(7) was inserted by S.I. 2005/1082.

(7) 2003 c.22.

(8) 2013 c.32.