

Regulation (EU) No 98/2013 of the European Parliament
and of the Council of 15 January 2013 on the marketing
and use of explosives precursors (Text with EEA relevance)

Article 9

Reporting of suspicious transactions, disappearances and thefts

1 Suspicious transactions involving the substances listed in the Annexes, or involving mixtures or substances containing them, shall be reported in accordance with this Article.

2 Each Member State shall set up one or more national contact points with a clearly identified telephone number and e-mail address for the reporting of suspicious transactions.

3 Economic operators may reserve the right to refuse the suspicious transaction and shall report the transaction or attempted transaction without undue delay, including if possible the identity of the customer, to the national contact point of the Member State where the transaction was concluded or attempted in the event that they have reasonable grounds for believing that a proposed transaction involving one or more substances listed in the Annexes, or involving mixtures or substances containing them, is a suspicious transaction, having regard to all the circumstances and in particular where the prospective customer:

- a appears unclear about the intended use of the substance or mixture;
- b appears unfamiliar with the intended use of the substance or mixture or cannot plausibly explain it;
- c intends to buy substances in quantities, combinations or concentrations uncommon for private use;
- d is unwilling to provide proof of identity or place of residence; or
- e insists on using unusual methods of payment, including large amounts of cash.

4 Economic operators shall also report significant disappearances and thefts of the substances listed in the Annexes and of mixtures or substances containing them to the national contact point of the Member State where the disappearance or theft has taken place.

5 In order to facilitate cooperation between the competent authorities and economic operators, the Commission shall, after consulting the Standing Committee on Precursors, draw up, by 2 September 2014 guidelines to assist the chemical supply chain and, where relevant, the competent authorities. The guidelines shall, in particular, provide:

- a information on how to recognise and report suspicious transactions, in particular as concerns the concentrations and/or quantities of substances listed in Annex II below which no action is normally needed;
- b information on how to recognise and report significant disappearances and thefts;
- c other information which may be deemed useful.

The Commission shall update the guidelines regularly.

6 The competent authorities shall ensure that the guidelines provided for in paragraph 5 are regularly disseminated in a manner deemed appropriate by the competent authorities in accordance with the objectives of the guidelines.

Changes to legislation:

There are outstanding changes not yet made to Regulation (EU) No 98/2013 of the European Parliament and of the Council. Any changes that have already been made to the legislation appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Art. 9(2) word omitted by [S.I. 2019/742 reg. 51\(9\)\(a\)](#)
- Art. 9(2) words substituted by [S.I. 2019/742 reg. 51\(9\)\(a\)](#)
- Art. 9(3) words substituted by [S.I. 2019/742 reg. 51\(9\)\(b\)](#)
- Art. 9(4) words substituted by [S.I. 2019/742 reg. 51\(9\)\(c\)](#)
- Art. 9(5) words substituted by [S.I. 2019/742 reg. 51\(9\)\(d\)\(i\)](#)
- Art. 9(5) words substituted by [S.I. 2019/742 reg. 51\(9\)\(d\)\(ii\)](#)
- Art. 9(6) words substituted by [S.I. 2019/742 reg. 51\(9\)\(e\)](#)

Changes and effects yet to be applied to the whole legislation item and associated provisions

- Signature words omitted by [S.I. 2019/742 reg. 51\(14\)](#)
- Art. 2(1)(1A) substituted for Art. 2(1) by [S.I. 2019/742 reg. 51\(3\)](#)
- Art. 2(1)(b) omitted in earlier amending provision [S.I. 2019/742, reg. 51\(3\)](#) by [S.I. 2020/1371 reg. 3\(3\)\(a\)\(ii\)](#)
- Art. 3(5) words substituted by [S.I. 2019/742 reg. 51\(4\)](#)