
STATUTORY RULES OF NORTHERN IRELAND

2014 No. 224

**The Control of Explosives Precursors
etc. Regulations (Northern Ireland) 2014**

PART 8

Revocations, amendments, savings and transitional provisions

Consequential and connected amendments

29.—(1) In paragraph 3 of Schedule 1 to the 1978 Order (existing statutory provisions) ^{M1}—

- (a) at the end of sub-paragraph (a) insert “ and ”;
- (b) at the end of sub-paragraph (b) omit “and”; and
- (c) omit sub-paragraph (c).

(2) In Article 36(1) of the Pollution Control and Local Government (Northern Ireland) Order 1978 ^{M2}, for the words “to which Article 3 of the Explosives (Northern Ireland) Order 1972 applies” substitute “ which is a tier 1 substance within the meaning of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014 ”.

(3) In the Rehabilitation of Offenders (Exceptions) Order (Northern Ireland) 1979 ^{M3}—

(a) after article 3(o) ^{M4} insert—

“(p) any decision to refuse to grant a licence under regulation 5 of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014, to grant such a licence subject to conditions, to modify such a licence (including any of the conditions of that licence), or to suspend or revoke such a licence;

(q) any decision to refuse an application for a licence or registration under Part 3 of the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006 ^{M5}, to grant such a licence subject to conditions, to modify such a licence (including any of the conditions of that licence), or to revoke such a licence or such registration;”.

(b) in article 4(2) ^{M6} for the words “article 3(d) to (o)” substitute “ article 3(d) to (q) ”;

(c) in Schedule 2 (excepted licences, certificates and permits) ^{M7}—

(i) in paragraph 4 for “section 3 of that Act as extended by Article 3 of the Explosives (Northern Ireland) Order 1972” substitute “ issued under the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014 ”, and

(ii) after paragraph 7 insert—

“8. Any licence or certificate issued under Part 3 of the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006.”; and

- (d) in Schedule 3 (excepted proceedings)—
- (i) in paragraph 14 ^{M8}, for “of section 3 of that Act as extended by Article 3 of the Explosives (Northern Ireland) Order 1972” substitute “required under the provisions of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014 ”; and
 - (ii) after paragraph 25 ^{M9}, insert—

“**26.** Proceedings relating to a licence granted or a certificate of registration issued under Part 3 of the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006.”.

- (4) In regulation 5(2) of the Dangerous Substances in Harbour Areas Regulations (Northern Ireland) 1991 (application of these Regulations) ^{M10}—
- (a) in sub-paragraph (h) omit “, the Explosives (Northern Ireland) Order 1972”; and
 - (b) after sub-paragraph (h) insert—
 - “(i) a tier 1 substance within the meaning of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014.”.
- (5) For regulation 3 of the Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999 (application) ^{M11}, substitute—

“Application

- 3.** These Regulations shall not apply to an industrial activity involving—
- (a) substances to which the Explosives Acts (Northern Ireland) 1875 to 1970 or the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006 apply;
 - (b) tier 1 substances within the meaning of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014; or
 - (c) the supply of substances to a member of the general public in contravention of regulation 13 of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014.”.
- (6) In Schedule 2 to the REACH Enforcement Regulations 2008 (functions of enforcing authorities) ^{M12}, for paragraph 3 substitute—

“**3.** In Northern Ireland, paragraph 2 does not apply in respect of—

- (a) substances for which the Explosives Acts (Northern Ireland) 1875 to 1970, the Health and Safety Quarries (Explosives) Regulations (Northern Ireland) 2006, or the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006 make provision; or
- (b) tier 1 substances within the meaning of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014.”.

- (7) In regulation 3(5) of the Chemicals (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009 (application) ^{M13}—
- (a) omit “, the Explosives (Northern Ireland) Order 1972”; and
 - (b) at the end of the paragraph insert “ apply or to any tier 1 substance or tier 2 substance within the meaning of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014 ”.

(8) In regulation 3(1) of the Explosives (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009 (application) ^{M14}—

- (a) omit “, the Explosives (Northern Ireland) Order 1972”; and
- (b) at the end of the paragraph insert “ and any tier 1 substance or tier 2 substance within the meaning of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014 ”.

(9) In regulation 4(3) of the Carriage of Explosives Regulations (Northern Ireland) 2010 (application) ^{M15}—

- (a) omit “, the Explosives (Northern Ireland) Order 1972”; and
- (b) at the end of the paragraph insert “ and any tier 1 substance or tier 2 substance within the meaning of the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014 ”.

(10) In Schedule 12 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 ^{M16} (explosives)—

- (a) in paragraph 2—
 - (i) in sub-paragraph (1), omit “(as extended by Article 3(1) of the Explosives (Northern Ireland) Order 1972)”;
 - (ii) omit sub-paragraph (4); and
 - (iii) in sub-paragraph (5), for “sub-paragraphs (1) and (4)” substitute “ sub-paragraph (1) ”.
- (b) in paragraph 4—
 - (i) omit sub-paragraph (2); and
 - (ii) in sub-paragraph (6), omit paragraphs (c), (d), (e), (f), (h), (i), (k) and (n);
 - (iii) in sub-paragraph (6), omit “and, so far as applicable” to the end;
 - (iv) in sub-paragraph (7), omit “and, so far as applicable” to the end; and
 - (v) in sub-paragraph (11), omit “or the function under Article 3(2) of the 1972 Order”.

Marginal Citations

- M1** Paragraph 3 was inserted by [S.I. 2010/976](#). There are no other relevant amendments.
- M2** [S.I. 1978/1049 \(N.I. 19\)](#); the definition of “waste” in Article 36(1) was modified by [S.R. 2006 No.425](#). Other amendments are not relevant.
- M3** [S.R. 1979 No. 195](#); this Order was amended by section 39 of the [Osteopaths Act 1993 \(c. 21\)](#); section 40 of the [Chiropractors Act 1994 \(c. 17\)](#); [S.R. 1987 No. 393](#); [S.R. 2001 No. 248](#); [S.R. 2001 No. 400](#); [S.R. 2003 No. 355](#); [S.R. 2006 No. 425](#); [S.R. 2009 No. 173](#); [S.R. 2009 No. 303](#); [S.R. 2012 No. 318](#); and [S.R. 2014 No. 27](#).
- M4** Article 3 was amended by [S.R. 1987 No. 393](#); [S.R. 2001 No. 248](#); [S.R. 2001 No. 400](#); [S.R. 2009 No. 303](#); [S.R. 2012/318](#) and [S.R. 2014 No. 27](#).
- M5** [S.R. 2006 No.425](#); Part 3 was amended by [S.R. 2009 No.248](#).
- M6** Article 4 was substituted by [S.R. 1987 No. 393](#), and amended by [S.R. 2001 No. 400](#); [S.R. 2009 No. 303](#); and [S.R. 2012 No. 318](#).
- M7** Schedule 2 was amended by [S.R. 2006 No.425](#) and [S.R. 2009 No.303](#).
- M8** Paragraph 14 was amended by [S.R. 2006 No. 425](#).
- M9** Paragraph 25 was inserted by [S.R. 2009 No.303](#).
- M10** [S.R. 1991 No.509](#); regulation 5(2)(h) was amended by [S.R. 2006 No.425](#).
- M11** [S.R. 1999 No.90](#); regulation 3 was amended by [S.R. 2006 No.425](#).
- M12** [S.I. 2008/2852](#); there are no relevant amendments.

Changes to legislation: *There are currently no known outstanding effects for the The Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014, Section 29. (See end of Document for details)*

- M13** S.R. [2009 No.238](#); paragraph (5) was amended by S.R. [2009 No.273](#). Other amendments to regulation 3 are not relevant.
- M14** S.R. [2009 No.273](#); there are no relevant amendments to this regulation.
- M15** S.R. [2010 No.59](#);
- M16** [S.I. 2010/976](#).

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