

SCHEDULE 16

Amendment of the Explosives Regulations 2014

PART 1

Amendments to the Explosives Regulations 2014

Amendment to regulation 2

- 2.—(1) Regulation 2 (interpretation) is amended as follows.
- (2) In paragraph (1)—
- (a) omit the definition of “accreditation”;
 - (b) omit the definition of “accreditation certificate”;
 - (c) after the definition of “ammonium nitrate blasting intermediate” insert—
““approved body” has the meaning given to it in regulation 69 (approved bodies);”;
 - (d) for the definition of “authorised representative” substitute—
““authorised representative” means—
 - (a) a person who—
 - (i) immediately before exit day was established in the United Kingdom or an EEA state and was appointed by a manufacturer by written mandate to perform specified tasks for that manufacturer, in accordance with regulation 46, as it had effect immediately before exit day; and
 - (ii) on or after exit day continues to be so established and appointed by the manufacturer to perform those tasks; or
 - (b) a person who, on or after exit day, is appointed in accordance with regulation 46;”;
 - (e) omit the definition of “CE marking”;
 - (f) omit the definition of “competent national authority”;
 - (g) after the definition of “conformity assessment body” insert—
““declaration of conformity” means a declaration of conformity required to be drawn up in accordance with regulation 41;”
 - (h) after the definition of “desensitised explosive” insert—
““designated standard” has the meaning given to it in regulation 2A;”;
 - (i) in the definition of “the Directive” at the end insert “(as it has effect immediately before exit day)”;
 - (j) omit the definition of “EU declaration of conformity”;
 - (k) omit the definition of “harmonised standard”;
 - (l) for the definition of “importer” substitute—
““importer”, in relation to civil explosives, means any person who—
 - (a) is established in the United Kingdom; and
 - (b) places a civil explosive from a country outside the United Kingdom on the market;”;

Draft Legislation: This is a draft item of legislation and has not yet been made as a UK Statutory Instrument. This draft has been replaced by a new draft, *The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019* ISBN 978-0-11-118040-2

- (m) in the definition of “making available on the market” for “an EEA state” substitute “the United Kingdom”;
- (n) omit the definition of “notified body requirements”;
- (o) in the definition of “place on the market”—
 - (i) after “means” insert “, apart from in regulation 82A,”;
 - (ii) for “on the market in an EEA state” substitute “on the United Kingdom market”;
- (p) after the definition of “recipient competent authority document” insert—
 - ““relevant authority” means any public authority which has a function under these Regulations or a function under another enactment in relation to the security or traceability of civil explosives;” and
- (q) after the definition of “transfer” insert—
 - ““UK marking” means the marking in the form published in accordance with Article 30(1) of RAMS;
 - “UK national accreditation body” means the body appointed by the Secretary of State in accordance with Article 4 of RAMS;”.