

*Status: Point in time view as at 26/05/2015.*

*Changes to legislation: Deregulation Act 2015, Paragraph 13 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 21

#### POISONS AND EXPLOSIVES PRECURSORS

##### *Establishment of common regulatory system*

13 After section 9A (inserted by paragraph 12) insert—

##### **“9B Power to disapply requirements or exclusions in specified circumstances**

- (1) The Secretary of State may by regulations provide—
  - (a) that some or all of the requirements of this Act do not apply in circumstances specified in the regulations;
  - (b) that either or both of the exclusions do not apply in circumstances specified in the regulations.
- (2) The power in subsection (1) may be exercised in relation to a substance or group of substances, in relation to persons or a class of persons or in any other way.
- (3) When exercising the power in relation to a substance or group of substances, the regulations may for example provide that the requirements or exclusions in question do not apply to the substance, or substances in the group, where the substance—
  - (a) is intended for use for a specified purpose, or
  - (b) is contained in a specified substance, mixture or article, or
  - (c) is prepared in a specified manner or form, or
  - (d) is so intended, contained or prepared and is present in a concentration that is no higher than a specified limit.
- (4) Nothing in subsection (2) or (3) is to be read as limiting the provision that may be made under subsection (1).
- (5) In this section—
  - (a) “the exclusions” means the exclusions in section 2 for substances that are medicinal or contained in a specific object,
  - (b) “the requirements of this Act” means the requirements of section 3, 3A, 3B or 3C or of regulations under section 7,
  - (c) “specified” includes described,
  - (d) references to a substance also include a mixture, and
  - (e) references to a group of substances includes a group comprising all the substances listed in Schedule 1A.”

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#### **Commencement Information**

- I1** [Sch. 21](#) in force for certain purposes at Royal Assent, see [s. 115](#)
- I2** [Sch. 21 para. 13](#) in force at 20.4.2015 for specified purposes by [S.I. 2015/994, art. 5](#)
- I3** [Sch. 21 para. 13](#) in force at 26.5.2015 in so far as not already in force by [S.I. 2015/994, art. 6\(p\)](#)

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