
STATUTORY INSTRUMENTS

1993 No. 2714

**The Placing on the Market and Supervision
of Transfers of Explosives Regulations 1993**

Enforcement

9.—(1) Notwithstanding the provisions of the Health and Safety (Enforcing Authority) Regulations 1989(1), the Executive shall be the enforcing authority for these Regulations.

(2) An inspector appointed under section 19 of the 1974 Act may seize and detain in accordance with section 74 of the Explosives Act 1875(2) any explosives which he has reasonable cause to believe will be unlawfully acquired, used or dealt in.

(3) Parts II and III of Schedule 2 shall have effect with respect to any explosives to which the CE marking has been affixed but which may compromise safety when used for their intended purpose.

(4) Insofar as any provision of regulations 4 to 13 is made under section 2(2) of the 1972 Act—

- (a) the provisions of the 1974 Act which relate to the approval of codes of practice and their use in criminal proceedings, enforcement and offences shall apply to that provision as if that provision had been made under section 15 of that Act; and
- (b) breach of a duty imposed by that provision shall confer a right of action in civil proceedings, insofar as that breach of duty causes damage.