
EXPLANATORY NOTE

(This note is not part of the Regulations)

1. These Regulations amend the Manufacture and Storage of Explosives Regulations 2005 (S.I. 2005/1082) (“the 2005 Regulations”) and the Health and Safety (Enforcing Authority) Regulations 1998 (S.I. 1998/494) (“the 1998 Regulations”).

2. They correct errors in relation to the definitions of “registration” and “local authority” in the 2005 Regulations. In the definition of “local authority”, they now refer to “metropolitan county fire and rescue authority” instead of “fire and rescue authority” (regulation 2).

3. The Regulations amend regulation 4(11) of the 1998 Regulations so that “local authority” in that provision has the meaning given by the 2005 Regulations (regulation 3).

4. The Regulations treat certain licences granted by the Health and Safety Executive under the 2005 Regulations as having been granted with the relevant fire and rescue authority assent (regulation 4(1) and (2)). They also treat certain licences and registrations granted by local authorities other than fire and rescue authorities as having been granted by the latter authorities, who held the power to do so (regulation 4(3) and (4)). They make the local authorities which made those earlier grants responsible for enforcement of certain explosives legislation (regulation 4(5)). County and district councils will take over the enforcement role under the 1998 Regulations of fire and rescue authorities that are losing their role as licensing authorities under the 2005 Regulations (regulation 4(6)).