SCHEDULE 13

AMENDMENTS

PART 2

AMENDMENTS TO SECONDARY LEGISLATION

The Clean Air (Emission of Dark Smoke) (Exemption) Regulations 1969

9. In Schedule 1 to the Clean Air (Emission of Dark Smoke) (Exemption) Regulations 1969 [M1] (exempted matter), for "the Manufacture and Storage of Explosives Regulations 2005" substitute " the Explosives Regulations 2014 ".

Marginal Citations

M1 S.I. 1969/1263, amended by S.I. 2005/1082; there are other amending instruments but none is relevant.

The Explosives Acts 1875 and 1923 etc. (Repeals and Modifications) Regulations 1974

10. In Schedule 2 to the Explosives Acts 1875 and 1923 etc. (Repeals and Modifications) Regulations 1974 [M2] (the Explosives Act 1875: modifications), omit paragraph 5.

Marginal Citations

M2 S.I. 1974/1885.

The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975

11. The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 [M3] is amended as follows—

(a) in paragraph 8 of Part III of Schedule 1 (excepted professions, offices, employments, work and occupations), for "regulations 4 and 7 of the Control of Explosives Regulations 1991", substitute " regulations 4, 5 and 11 of the Explosives Regulations 2014 ";

(b) in paragraph 3 of Schedule 2 (excepted licences, certificates and permits), for "regulations 4 and 7 of the Control of Explosives Regulations 1991", substitute " regulations 4, 5 and 11 of the Explosives Regulations 2014 "; and

(c) for paragraph 13 of Schedule 3 (excepted proceedings) substitute—

"**13.** Proceedings in respect of—

(a) an application to the chief officer of police for an explosives certificate pursuant to regulations 4, 5 and 11 of the Explosives Regulations 2014 ("the 2014 Regulations") as to the fitness of the applicant to acquire or acquire and keep explosives, including consideration as to whether to refuse the application on any of the grounds specified in regulation 19 of the 2014 Regulations;

(b) the revocation of such certificates pursuant to regulation 21 of the 2014 Regulations;

(c) an appeal or application pursuant to regulation 22 of the 2014 Regulations against a decision taken under regulation 19 or 21.".

Marginal Citations

M3 S.I. 1975/1023, amended by S.I. 2005/1082 and revoked, in relation to Scotland, by S.S.I 2003/321. There are other amending instruments but none is relevant.

The Isles of Scilly (Functions) Order 1979

12. In article 3(e) of the Isles of Scilly (Functions) Order 1979 [M4] —

(a) omit "the Explosives Act 1875;"; and

(b) for "the Manufacture and Storage of Explosives Regulations 2005" substitute " the Explosives Regulations 2014 ".

Marginal Citations

M4 S.I. 1979/72, amended by S.I. 2005/1082; there are other amending instruments but none is relevant.

The Dangerous Substances in Harbour Areas Regulations 1987

13. Regulation 33 of the Dangerous Substances in Harbour Areas Regulations 1987 [M5] (Application of Part IX) is amended as follows—

(a) in sub-paragraph (b) of paragraph 1, for the words from "article 8" to "Order 2001" substitute " article 11 of the Health and Safety at Work etc. Act 1974 (Application Outside Great Britain) Order 2013 [M6] "; and

(b) in sub-paragraph (e) of paragraph 2—

(i) in paragraph (i), for " licensed under the Manufacture and Storage of Explosives Regulations 2005" substitute " in relation to which a person holds a licence under the Explosives Regulations 2014 ("the 2014 Regulations") "; and

(ii) for paragraph (ii), substitute—

"(ii) in relation to which a person is deemed to be licensed under the 2014 Regulations by virtue of regulation 47(1) of those Regulations in cases where, in relation to that deemed licence, the assent of the local authority would have been required pursuant to regulation 13(3) of the 2014 Regulations had a licence been applied for under those Regulations;".

Marginal Citations

M5 S.I. 1987/37, amended by S.I. 2005/1082; there are other amending instruments but none is relevant.

M6 S.I. 2013/240.

The Planning (Hazardous Substances) Regulations 1992

14.—(1) Schedule 1 to the Planning (Hazardous Substances) Regulations 1992 [M7] (hazardous substances and controlled quantities) is amended as follows.

[F1](2) . . . . . .

(3) In column 1 of entry number 54 in Part A as it applies in Wales, for paragraph (1) substitute—

"(1) cellulose nitrate—

(a) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Health and Safety Executive where it is the licensing authority by virtue of—

(i) paragraph 1(b) of Schedule 1 to those Regulations in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or

(ii) paragraph 1(d) of Schedule 1 to those Regulations; or

(b) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Office for Nuclear Regulation in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or".

[F2](4) . . . . . .

(5) In Part B as it applies in Wales—

(a) in column 1 of entry 4, for the words from "EXPLOSIVE" to "Regulations 1987" substitute—

"EXPLOSIVE (see Note 2 to this Part) where the substance, preparation or article falls under UN/ADR Division 1.4, excluding those—

(a) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Health and Safety Executive where it is the licensing authority by virtue of —

(i) paragraph 1(b) of Schedule 1 to those Regulations in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or

(ii) paragraph 1(d) of Schedule 1 to those Regulations; or

(b) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Office for Nuclear Regulation in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or

(c) licensed under the Dangerous Substances in Harbour Areas Regulations 1987"; and

(b) in column 1 of entry 5, for the words from "EXPLOSIVE" to "Regulations 1987 substitute—

"EXPLOSIVE (see Note 2 to this Part) where the substance, preparation or article falls under any of: UN/ADR Divisions 1.1, 1.2, 1.3, 1.5 or 1.6 or risk phrase R2 or R3, excluding those —

(a) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Health and Safety Executive where it is the licensing authority by virtue of—

(i) paragraph 1(b) of Schedule 1 to those Regulations in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or

(ii) paragraph 1(d) of Schedule 1 to those Regulations; or

(b) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Office for Nuclear Regulation in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or

(c) licensed under the Dangerous Substances in Harbour Areas Regulations 1987".

Textual Amendments

F1 Sch. 13 para. 14(2) revoked (E.) (1.6.2015) by The Planning (Hazardous Substances) Regulations 2015 (S.I. 2015/627), regs. 1(1), **28** (with reg. 34)

F2 Sch. 13 para. 14(4) revoked (E.) (1.6.2015) by The Planning (Hazardous Substances) Regulations 2015 (S.I. 2015/627), regs. 1(1), **28** (with reg. 34)

Marginal Citations

M7 S.I. 1992/656; relevant amending instruments are S.I. 2009/1901 (in relation to England), 2010/450 (W.48) (in relation to Wales) and 2014/469.

Coal and Other Safety-Lamp Mines (Explosives) Regulations 1993

15. In regulation 2(1) of the Coal and Other Safety-Lamp Mines (Explosives) Regulations 1993 [M8] (interpretation), in the definition of "explosives store" for "or registration made under the Manufacture and Storage of Explosives Regulations 2005" substitute " under the Explosives Regulations 2014 ".

Marginal Citations

M8 S.I. 1993/208, amended by S.I. 2005/1082; there are other amending instruments but none is relevant.

The Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993

16. Schedule 1 to the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 [M9] (hazardous substances and controlled quantities) is amended as follows—

(a) in Part A, in column 1 of entry number 54, for paragraph (1), substitute—

"(1) cellulose nitrate—

(a) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Health and Safety Executive where it is the licensing authority by virtue of —

(i) paragraph 1(b) of Schedule 1 to those Regulations in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or

(ii) paragraph 1(d) of Schedule 1 to those Regulations; or

(b) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Office for Nuclear Regulation in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or"; and

(b) in Part B—

(i) in column 1 of entry number 4, for the words from "EXPLOSIVE" to "Regulations 1987" substitute—

"EXPLOSIVE (see Note 2 to Part B) where the substance, preparation or article falls under UN/ADR Division 1.4, excluding those —

(a) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Health and Safety Executive where it is the licensing authority by virtue of —

(i) paragraph 1(b) of Schedule 1 to those Regulations in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or

(ii) paragraph 1(d) of Schedule 1 to those Regulations; or

(b) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Office for Nuclear Regulation in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or

(c) licensed under the Dangerous Substances in Harbour Areas Regulations 1987"; and

(ii) in column 1 of entry number 5, for the words from "EXPLOSIVE" to "Regulations 1987", substitute—

"EXPLOSIVE (see Note 2 to Part B) where the substance, preparation or article falls under any of: UN/ADR Divisions 1.1, 1.2, 1.3, 1.5 or 1.6 or risk phrase R2 or R3, excluding those—

(a) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Health and Safety Executive where it is the licensing authority by virtue of—

(i) paragraph 1(b) of Schedule 1 to those Regulations in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or

(ii) paragraph 1(d) of Schedule 1 to those Regulations; or

(b) for which a licence is required and has been granted under the Explosives Regulations 2014 by the Office for Nuclear Regulation in cases where the assent of the local authority was required pursuant to regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations; or

(c) licensed under the Dangerous Substances in Harbour Areas Regulations 1987".

Marginal Citations

M9 S.I. 1993/323; relevant amending instruments are S.S.I. 2009/378 and 2014/469.

The Health and Safety (Enforcing Authority) Regulations 1998

17. In regulation 4 of the Health and Safety (Enforcing Authority) Regulations 1998 [M10] (exceptions), omit paragraphs (7) to (12).

Marginal Citations

M10 S.I. 1998/494; relevant amending instruments are S.I. 2005/1082, 2007/2598, 2009/693 and 2014/469.

The Visiting Forces and International Headquarters (Application of Law) Order 1999

18. In Schedule 6 to the Visiting Forces and International Headquarters (Application of Law) Order 1999 [M11] (enactments conferring specific exemptions, privileges etc.), omit the entry relating to the Fireworks Act 1951.

Marginal Citations

M11 S.I. 1999/1736, to which there are amendments not relevant to these Regulations.

The Quarries Regulations 1999

19. In regulation 2(1) of the Quarries Regulations 1999 [M12] (interpretation), in the definition of "explosives store", for "or registration made under the Manufacture and Storage of Explosives Regulations 2005" substitute " under the Explosives Regulations 2014 ".

Marginal Citations

M12 S.I. 1999/2024, amended by S.I. 2005/1082; there are other amending instruments but none is relevant.

Building (Scotland) Regulations 2004

20. For paragraph 1 of Schedule 1 to the Building (Scotland) Regulations 2004 [M13] (exempted buildings and services, fittings and equipment), substitute—

"**1.**—(1) Any building in which explosives are manufactured or stored under a licence granted under the Explosives Regulations 2014 where the whole building is used for that manufacture or storage.

(2) Where only a part of a building is used for the manufacture or storage of explosives under a licence granted under the Explosives Regulations 2014, that part of the building where the licence specifies that that manufacture or storage may take place.

(3) Except— sub-paragraphs (1) and (2) do not include any building or, as the case may be, any part of a building as is referred to in, respectively, sub-paragraph (1) or (2) in relation to which—

(a) no minimum separation distance is required to be maintained by virtue of regulation 27(2)(a) or (3) of the Explosives Regulations 2014; or

(b) a minimum separation distance of 0 metres is prescribed by virtue of regulation 27(1) of, and Schedule 5 to, the Explosives Regulations 2014 and the requirement for the assent of the local authority under regulation 13(3) of those Regulations did not apply by virtue of regulation 13(4)(a) of those Regulations.".

Marginal Citations

M13 S.S.I. 2004/406, amended by S.S.I. 2006/534; there are other amending instruments but none is relevant.

The REACH Enforcement Regulations 2008

21. In paragraph 1 of Part 3 of Schedule 3 to the REACH Enforcement Regulations 2008 [M14] (health and safety enforcement) for sub-paragraph (t), substitute—

"(t) in relation to Great Britain, the manufacture or storage of ammonium nitrate blasting intermediate under the Explosives Regulations 2014.".

Marginal Citations

M14 S.I. 2008/2852, to which there are amendments not relevant to these Regulations.

The Health and Safety (Miscellaneous Amendments and Revocations) Regulations 2009

22. In regulation 2 of the Health and Safety (Miscellaneous Amendments and Revocations) Regulations 2009 [M15] (extension outside Great Britain)—

(a) omit paragraphs (a) and (b); and

(b) omit ", respectively, regulation 14 of the Control of Explosives Regulations 1991, regulation 3(1)(b) of the Manufacture and Storage of Explosives Regulations 2005 and".

Marginal Citations

M15 S.I. 2009/693.

The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009

23. In regulation 7 of the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009 [M16] (additional security requirements for carriage by road), for paragraph (5)(c) substitute—

"(c) "a safe and secure place" means a safe and secure place—

(i) within a site in relation to which a person is licensed to manufacture or store explosives under regulation 13 of the Explosives Regulations 2014; or

(ii) at which the manufacture or storage of explosives may lawfully take place by virtue of a certificate of exemption granted under those Regulations.".

Marginal Citations

M16 S.I. 2009/1348, to which there are amendments not relevant to these Regulations.

The Building Regulations 2010

24. For paragraph 1 of Class 1 of Schedule 2 to the Building Regulations 2010 [M17] (exempt buildings and work), substitute—

"**1.**—(1) Any building in which explosives are manufactured or stored under a licence granted under the Explosives Regulations 2014 where—

(a) the whole building is used for that manufacture or storage, and either

(b) a minimum separation distance of greater than 0 metres is prescribed by virtue of regulation 27(1) of, and Schedule 5 to, those Regulations; or

(c) a minimum separation distance of 0 metres is prescribed by virtue of the provisions referred to in paragraph (b) and the assent of the local authority was required by regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations.

(2) Where only a part of a building is used for the manufacture or storage of explosives under a licence granted under the Explosives Regulations 2014 and —

(a) a minimum separation distance of greater than 0 metres is prescribed by virtue of regulation 27(1) of, and Schedule 5 to, those Regulations; or

(b) a minimum separation distance of 0 metres is prescribed by virtue of the provisions referred to in paragraph (a) and the assent of the local authority was required by regulation 13(3) of those Regulations or would have been so required but for regulation 13(4)(b), (c), (d), (e), (f) or (g) of those Regulations,

that part of the building where the licence specifies that that manufacture or storage may take place.".

Marginal Citations

M17 S.I. 2010/2214, to which there are amendments not relevant to these Regulations.

The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011

25. The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 [M18] are amended as follows—

(a) in regulation 17(2) (consequential amendments), omit sub-paragraphs (c), (d) and (e); and

(b) in the Schedule omit paragraphs 3, 4 and 5.

Marginal Citations

M18 S.I. 2011/1885.

The Health and Safety (Fees) Regulations 2012

26. The Health and Safety (Fees) Regulations 2012 [M19] are amended as follows.

Marginal Citations

M19 S.I. 2012/1652, amended by S.I. 2014/469; there are other amending instruments but none is relevant.

27. In regulation 1(4) (citation, commencement and interpretation), for "explosives certificate, licence or registration" substitute " explosive certificate or licence ".

28.—(1) In regulation 9 (fees payable under the Manufacture and Storage of Explosives Regulations 2005 and certain other provisions concerning explosives, including acetylene, and under the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936)—

(a) for paragraph (1), substitute—

"(1) Where an application in relation to a provision specified in column 1 of Part 1 of Schedule 8, for a purpose specified in column 2 of that Part, is made to a licensing authority which is the licensing authority by virtue of—

(a) paragraph 1(c) or (d) of Schedule 1 to the 2014 Regulations, or

(b) paragraphs 1(b), 2 or 4 of that Schedule in cases where the assent of the local authority is required under regulation 13(3) of those Regulations or is not required by virtue of regulation 13(4)(b) to (g) of those Regulations,

the fee specified in the corresponding entry in column 3 of that Part is payable by the applicant to that licensing authority.";

(b) in paragraph (2), after "manufacture" insert " or store ";

(c) for paragraph (3), substitute—

"(3) Where an application in relation to a provision specified in column 1 of Part 2 of Schedule 8, for a purpose specified in column 2 of that Part, is made to a licensing authority, which is the licensing authority by virtue of—

(a) paragraph 1(a) of Schedule 1 to the 2014 Regulations, or

(b) paragraphs 1(b), 2 or 4 of Schedule 1 to those Regulations in cases where the requirement for assent of the local authority under regulation 13(3) of those Regulations is disapplied by regulation 13(4)(a) of those Regulations,

the fee specified in the corresponding entry in column 3 of that Part is payable by the applicant to that licensing authority.";

(d) in paragraph (11)—

(i) for "1991" substitute " 2014 "; and

(ii) for "4(6)(d)" substitute " 19(2)(d) "; and

(e) in paragraph (13)—

(i) omit the definition of "the 1991 Regulations";

(ii) for the definition of "the 2005 Regulations" substitute—

""the 2014 Regulations" means the Explosives Regulations 2014;";

(iii) for the definition beginning " "ammonium nitrate blasting intermediate"" substitute " "ammonium nitrate blasting intermediate", "chief officer of police", "explosives certificate", "licence", "licensing authority", "manufacture", "on-site mixing", "prohibited person", "shooters' powder" and "site" have the same meanings as in the 2014 Regulations;"; and

(iv) omit the definition beginning " "chief officer of police"".

29. In Schedule 8 (fees payable under the Manufacture and Storage of Explosives Regulations 2005 and certain other provisions concerning explosives, including acetylene, and under the Petroleum (Consolidation) Act 1928 and the Petroleum (Transfer of Licences) Act 1936)—

(a) for the heading and Part 1, substitute—

"FEES PAYABLE IN RELATION TO THE EXPLOSIVES REGULATIONS 2014, THE ACETYLENE SAFETY (ENGLAND, WALES AND SCOTLAND) REGULATIONS 2014 AND THE PETROLEUM (CONSOLIDATION) REGULATIONS 2014

PART 1

FEES FOR APPLICATIONS FOR LICENCES, OR VARIATIONS TO, OR TRANSFER OF, LICENCES, TO MANUFACTURE OR TO STORE EXPLOSIVES MADE TO LICENSING AUTHORITIES WHICH ARE LICENSING AUTHORITIES BY VIRTUE OF PARAGRAPHS 1(c) OR (d) OF SCHEDULE 1 TO THE EXPLOSIVES REGULATIONS 2014 OR PARAGRAPHS 1(b), 2 OR 4 OF THAT SCHEDULE IN LOCAL AUTHORITY ASSENT CASES OR WHERE NO ASSENT REQUIRED BY VIRTUE OF REGULATION 13(4)(b) TO (g)

Table 1

1	*2*	*3*	*4*
Provision under which a licence is granted	***Purpose of application***	***Fee***	***Fee for work by Specialist Inspector***
The 2014 Regulations			
Regulation 13, as extended by regulation 2(2) of those Regulations to the manufacture and storage of ammonium nitrate blasting intermediate	Licence to manufacture explosives not being ammonium nitrate blasting intermediate nor relating to on-site mixing	£631	£127 per hour worked
	Licence to manufacture or store only ammonium nitrate blasting intermediate	£156 per hour worked	
	Licence to manufacture explosives by means of on-site mixing	£234	£127 per hour worked

	Licence to store explosives:	£631	£127 per hour worked
	Renewal of any of the above licences	£83	£127 per hour worked
Regulation 16	Varying a licence to manufacture or store explosives, not being ammonium nitrate blasting intermediate:	£432	£127 per hour worked
	Varying a licence to manufacture or store ammonium nitrate blasting intermediate	£156 per hour worked	
Regulation 17	Transfer of any of the above licences	£52	
	Replacement of any licences referred to in this Part if lost	£52”;	

(b) for Part 2 substitute—

“PART 2

FEES FOR APPLICATIONS FOR LICENCES, OR VARIATIONS TO, OR TRANSFER OF, LICENSES TO STORE EXPLOSIVES MADE TO LICENSING AUTHORITIES WHICH ARE LICENSING AUTHORITIES BY VIRTUE OF PARAGRAPH 1(a) OF SCHEDULE 1 TO THE 2014 REGULATIONS OR PARAGRAPH 1(b), 2 OR 4 OF THAT SCHEDULE IN CASES WHERE LOCAL AUTHORITY ASSENT IS NOT REQUIRED BY VIRTUE OF REGULATION 13(4)(a)

Table 2

1	*2*	*3*
Provision under which a licence is granted	***Purpose of application***	***Fee***
The 2014 Regulations		

Regulation 13	Licence to store explosives where, by virtue of regulation 27 of, and Schedule 5 to, the 2014 Regulations, a minimum separation distance of greater than 0 metres is prescribed:	
	(a) one year's duration	£178
	(b) two years' duration	£234
	(c) three years' duration	£292
	(d) four years' duration	£360
	(e) five years' duration	£407
	Licence to store explosives where, by virtue of regulation 27 of, and Schedule 5 to, the 2014 Regulations, no minimum separation distance or a 0 metres minimum separation distance is prescribed:	
	(a) one year's duration	£105
	(b) two years' duration	£136
	(c) three years' duration	£166
	(d) four years' duration	£198
	(e) five years' duration	£229
	Renewal of licence to store explosives where, by virtue of regulation 27 of, and Schedule 5 to, the 2014 Regulations, a minimum separation distance of greater than 0 metres is prescribed:	
	(a) one year's duration	£83
	(b) two years' duration	£141
	(c) three years' duration	£198
	(d) four years' duration	£256
	(e) five years' duration	£313
	Renewal of licence to store explosives where, by virtue	

	of regulation 27 of, and Schedule 5 to, the 2014 Regulations, no minimum separation distance or a 0 metres minimum separation distance is prescribed:	
	(a) one year's duration	£52
	(b) two years' duration	£83
	(c) three years' duration	£115
	(d) four years' duration	£146
	(e) five years' duration	£178
Regulation 16	Varying a licence:	
	(a) varying name of licensee or address of site	£35
	(b) any other kind of variation	The reasonable cost to the licensing authority of having the work carried out
Regulation 17	Transfer of licence	£35
	Replacement of licence	£35

Note: The fee payable for a licence or renewal of a licence—

(a) of less than one year's duration is, respectively, the fee set out above for a licence, or renewal of a licence of one year's duration decreased proportionately according to the duration of the period for which the licence renewal is granted;

(b) of more than one but less than two years' duration is, respectively, the fee set out above for a licence, or a renewal of a licence of one year's duration increased proportionately according to the duration of the period for which the licence or renewal is granted;

(c) of more than two but less than three years' duration is, respectively, the fee set out above for a licence or renewal of a licence of two years' duration increased proportionately according to the duration of the period for which the licence or renewal is granted;

(d) of more than three but less than four years' duration is, respectively, the fee set above for a licence or renewal of a licence of three years' duration increased proportionately according to the duration of the period for which the licence or renewal is granted;

(e) of more than four but less than five years' duration is, respectively, the fee set out above for a licence or renewal of a licence of four years' duration increased proportionately according to the duration of the period for which the licence or renewal is granted.”; and

(c) for Part 8 substitute—

"PART 8

FEES FOR EXPLOSIVES CERTIFICATES UNDER THE EXPLOSIVES REGULATIONS 2014

Table 1

1 Provisions under which a fee is payable	2 Purpose of application	*3* Fee
The 2014 Regulations		
Regulation 11 (see Note)	(a) Explosives certificate for acquiring and keeping explosives, not including an application for an explosives certificate referred to in entries (c), (g) or (i), at a site in relation to which a person holds a licence to store explosives and, by virtue of regulation 27 of, and Schedule 5 to, the 2014 Regulations no minimum separation distance is prescribed or a 0 metres minimum separation distance is prescribed:	
	(i) one year's duration	£125
	(ii) two years' duration	£156
	(iii) three years' duration	£188
	(iv) four years' duration	£219
	(v) five years' duration	£251
	(b) Renewal of the explosives certificate referred to in (a):	
	(i) one year's duration	£110
	(ii) two years' duration	£130
	(iii) three years' duration	£151
	(iv) four years' duration	£173
	(v) five years' duration	£193
	(c) Explosives certificate for acquiring and keeping explosives, not including an application for an explosives certificate referred to in entries (a), (g) or (i), at a site in relation to which a person holds a licence for the storage of no more than 2000 kilograms of explosives:	

(i) one year's duration	£136
(ii) two years' duration	£166
(iii) three years' duration	£198
(iv) four years' duration	£229
(v) five years' duration	£261

(d) Renewal of the explosives certificate referred to in (c):

(i) one year's duration	£130
(ii) two years' duration	£156
(iii) three years' duration	£183
(iv) four years' duration	£209
(v) five years' duration	£234

(e) Explosives certificate for acquiring and keeping explosives, not including an application for an explosives certificate referred to in entries (g) or (i), at a site in relation to which a person holds a licence for the storage of more than 2000 kilograms of explosives:

(i) one year's duration	£183
(ii) two years' duration	£219
(iii) three years' duration	£256
(iv) four years' duration	£292
(v) five years' duration	£329

(f) Renewal of the explosives certificate referred to in (e):

(i) one year's duration	£161
(ii) two years' duration	£193
(iii) three years' duration	£224
(iv) four years' duration	£256
(v) five years' duration	£287

(g) Explosives certificate for acquiring and keeping only shooters' powder at a site in relation to which the applicant holds a licence, where the applicant also makes a relevant application under the 1968 Act to the chief officer of police determining the explosives certificate application which is to be determined at the same time	£24

(h) Renewal of the explosives certificate referred to in (g) where the applicant also makes a relevant application under the 1968 Act to the chief officer of police determining the renewal application which is to be determined at the same time	£15
(i) Explosives certificate for the acquiring and keeping only shooters' powder at a site in relation to which the applicant holds a licence and a relevant certificate, where no relevant application under the 1968 Act by the applicant is to be determined at the same time	£44
(j) Renewal of the explosives certificate referred to in (i) where no relevant application under the 1968 Act by the applicant is to be determined at the same time	£18
(k) Explosives certificate for acquiring more than 15 kilograms of explosives, not including an application for an explosives certificate referred to in entries (m) or (o):	
(i) one year's duration	£125
(ii) two years duration	£156
(iii) three years duration	£188
(iv) four years duration	£219
(v) five years duration	£251
(l) Renewal of the explosive certificate referred to in (k):	
(i) one year's duration	£110
(ii) two years duration	£130
(iii) three years duration	£151
(iv) four years duration	£173
(v) five years duration	£193
(m) Explosives certificate for acquiring more than 15 kilograms of shooters' powder only, where the applicant also makes a relevant application under the 1968 Act to the chief officer of police determining the explosives certificate application which is to be determined at the same time	£24

(n) Renewal of the explosives certificate referred to in (m) where the applicant also makes a relevant application under the 1968 Act to the chief officer of police determining the renewal application which is to be determined at the same time	£15
(o) Explosives certificate for acquiring more than 15 kilograms of shooters' powder only, where the applicant holds a relevant certificate and no relevant application under the 1968 Act is to be determined at the same time	£44
(p) Renewal of the explosives certificate referred to in (o) where no relevant application under the 1968 Act by the applicant is to be determined at the same time	£18
(q) Replacement of any explosives certificate referred to in (a) to (f) and (k) and (l) if lost	£35
(r) Replacement of any explosives certificate referred to in (g) to (j) and (m) to (p) if lost	£10

Table 2

The fee for a check carried out for the purposes of regulation 19(2)(d) of the 2014 Regulations is £5

Note: The fee payable for an explosives certificate or renewal of an explosives certificate ("renewal")—

(a) of less than one year's duration is, respectively, the fee set out above for a certificate, or renewal of an explosives certificate of one year's duration decreased proportionately according to the duration of the period for which the explosives certificate or renewal is granted;

(b) of more than one but less than two years' duration is, respectively, the fee set out above for an explosives certificate, or a renewal of an explosives certificate of one year's duration increased proportionately according to the duration of the period for which the explosives certificate or renewal is granted;

(c) of more than two but less than three years' duration is, respectively, the fee set out above for an explosives certificate or renewal of an explosives certificate of two years' duration increased proportionately according to the duration of the period for which the explosives certificate or renewal is granted;

(d) of more than three but less than four years' duration is, respectively, the fee set above for an explosives certificate or renewal of an explosives certificate of three years' duration increased proportionately according to the duration of the period for which the explosives certificate or renewal is granted;

(e) of more than four but less than five years' duration is, respectively, the fee set out above for an explosives certificate or renewal of an explosives certificate of four years' duration increased proportionately according to the duration of the period for which the explosives certificate or renewal is granted.”.

The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013

30. The Rehabilitation of Offenders Act 1974 (Exclusions and Exemptions) (Scotland) Order 2013 [M20] is amended as follows—

(a) for paragraph 10 of Schedule 1 (proceedings) substitute—

“**10.** Proceedings under the Explosives Regulations 2014 (“the 2014 Regulations”) in respect of—

(a) the application to the chief officer of police for an explosives certificate pursuant to regulations 4, 5 and 11 of the 2014 Regulations certifying a person to be a fit and proper person to acquire or acquire and keep explosives;

(b) the revocation of such certificates pursuant to regulation 21 of the 2014 Regulations;

(c) an appeal or application to the Sheriff under regulation 22 of the 2014 Regulations against a decision taken under regulation 19 or 21.”;

(b) in paragraph 3(3)(c) of Schedule 3 (exclusions of section 4(2)(a) and (b) of the Act), for “regulation 4 of the Control of Explosives Regulations 1991” substitute “ regulation 11 of the Explosives Regulations 2014 ”; and

(c) in paragraph 4 of Part 3 of Schedule 4 (excepted professions, offices, employments and occupations) for “regulation 4 of the Control of Explosives Regulations 1991” substitute “ regulations 4, 5 and 11 of the Explosives Regulations 2014 ”.

Marginal Citations

M20 S.S.I. 2013/50, to which there are amendments not relevant to these Regulations.

The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013

31. The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 2013 [M21] are amended as follows—

(a) in regulation 2(1) (interpretation), in the definition of “explosives” for “the Manufacture and Storage of Explosives Regulations 2005” substitute “ the Explosives Regulations 2014 ”; and

(b) in paragraph 5(a) of Part 1 of Schedule 2 (dangerous occurrences) for “or registration, as the case may be, under regulation 9, 10 or 11 of the Manufacture and Storage of Explosives

Regulations 2005" substitute " under regulations 6 or 7 of the Explosives Regulations 2014 ".

Marginal Citations

M21 S.I. 2013/1471.

Changes to legislation:
There are currently no known outstanding effects for the The Explosives Regulations 2014, PART 2.