

This Statutory Instrument makes corrections to regulation 8 of S.I. 2023/63 and is being issued free of charge to all known recipients of that Statutory Instrument.

STATUTORY INSTRUMENTS

2023 No. 810

HEALTH AND SAFETY

The Control of Explosives Precursors and Poisons (Amendment) Regulations 2023

Made - - - - at 3.00 p.m. on 17th July 2023

Laid before Parliament at 4.00 p.m. on 17th July 2023

Coming into force - - - - 1st October 2023

The Secretary of State makes these Regulations in exercise of the powers conferred by section 2A(1)(a) of the Poisons Act 1972(a) (“the 1972 Act”).

In determining the distribution of substances as between the various Parts of Schedule 1A(b) to the 1972 Act, the Secretary of State has had regard to the desirability of restricting Parts 3 and 4 to substances that meet the criteria provided by section 2A(3) of that Act.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Control of Explosives Precursors and Poisons (Amendment) Regulations 2023 and come into force on 1st October 2023.

(2) These Regulations extend to England and Wales and Scotland.

Amendment to the Control of Explosives Precursors and Poisons Regulations 2023

2. For regulation 8 of the Control of Explosives Precursors and Poisons Regulations 2023 (Amendments to Schedule 1A to the 1972 Act)(c) substitute—

“Amendments to Schedule 1A to the 1972 Act

8.—(1) Schedule 1A to the 1972 Act (regulated substances and reportable substances) is amended as follows.

(2) In the table in Part 1 (regulated explosives precursors)—

(a) insert as the first three entries—

“Ammonium nitrate (CAS RN 6484-52-2) | -
in concentration of 16% by weight of

(a) 1972 c. 66. Section 2A was inserted by section 90 of, and paragraph 3 of Schedule 21 to, the Deregulation Act 2015 (c. 20).
(b) Schedule 1A was inserted by section 90 of, and paragraph 16 of Schedule 21 to, the Deregulation Act 2015 (c. 20).
(c) S.I. 2023/63.

nitrogen in relation to ammonium nitrate or higher		
Hexamine (CAS RN 100-97-0)		-
Hydrochloric acid (CAS RN 7647-01-0)		10% w/w”;

(b) after the entry for “Nitric acid” insert—

“Phosphoric acid (CAS RN 7664-38-2)		30% w/w”.
-------------------------------------	--	-----------

(3) In the table in Part 2 (regulated poisons)—

(a) after the entry for “Aluminium phosphide” insert—

“Aluminium sulfide (CAS RN 1302-81-4)		-”;
---------------------------------------	--	-----

(b) in the entry for “Arsenic” omit “, other than those listed in Part 4 of this Schedule”;

(c) after the entry for “Bromomethane” insert—

“Calcium phosphide (CAS RN 1305-99-3)		-
Calcium sulfide (CAS RN 20548-54-3)		-”;

(d) after the entry for “Magnesium phosphide” insert—

“Magnesium sulfide (CAS RN 12032-36-9)		-”;
--	--	-----

(e) in the entry for “Mercury” for the text after “(CAS RN 7439-97-6)” substitute “; its compounds”;

(f) after the entry for “Phosphorus” insert—

“Sodium sulfide (CAS RN 1313-82-2)		-”;
------------------------------------	--	-----

(g) after the entry for “Thallium” insert—

“Zinc phosphide (CAS RN 1314-84-7)		-
2,4-Dinitrophenol (CAS RN 51-28-5) and compounds including sodium dinitrophenolate (CAS RN 1011-73-0)		-”.

(4) In Part 3 (reportable explosives precursors)—

(a) omit the entries for “Hexamine” and “Ammonium nitrate”;

(b) after the entry for “Magnesium powders”(a) insert “Sulfur (CAS RN 7704-34-9)”.

(5) In the table in Part 4 (reportable poisons)—

(a) omit the entries for “Arsenic”, “Hydrochloric acid”, “Mercuric chloride”, “Phosphoric acid” and “Zinc phosphide”;

(b) after the entry for “Metallic oxalates” insert—

“Metal phosphides		-
Metal sulfides and polysulfides		-”

(a) This entry was inserted into Part 3 by regulation 2(2)(b) of the Poisons Act 1972 (Explosives Precursors) (Amendment) Regulations 2018 (S. I. 2018/451).

(c) after the entry for “Sodium hydroxide” insert—

“Sodium hypochlorite (CAS RN 7681-52-9) solutions above 6% available chlorine | -”. ”.

Tom Tugendhat
Minister of State
Home Office

At 3.00 p.m. on 17th July 2023

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations are being issued free of charge in order to make corrections to regulation 8 (“regulation 8”) of the Control of Explosives Precursors and Poisons Regulations 2023 (S.I. 2023/63) (“the Principal Regulations”).

Regulation 8 makes amendments to Schedule 1A to the Poisons Act 1972 (c. 66). Regulation 2 of these Regulations substitutes a new regulation 8 to include Chemical Abstracts Service Registry numbers for certain substances, and to make separate provision for Zinc phosphide and Calcium phosphide.

A full impact assessment of the effect that the Principal Regulations (including regulation 8) will have on the costs of business, the voluntary sector and the public sector was undertaken. A copy is annexed to the Explanatory Memorandum to the Principal Regulations, which is available on www.legislation.gov.uk. Copies may also be obtained by writing to the Explosives Precursors and Poisons team at the Home Office, 2 Marsham Street, London SW1P 4DF (or by sending an e-mail to precursorsandpoisons@homeoffice.gov.uk).

© Crown copyright 2023

Printed and published in the UK by The Stationery Office Limited under the authority and superintendence of Jeff James, Controller of His Majesty’s Stationery Office and King’s Printer of Acts of Parliament.

£4.90

<http://www.legislation.gov.uk/id/uksi/2023/810>

ISBN 978-0-34-825013-8



9 780348 250138