
STATUTORY RULES OF NORTHERN IRELAND

2020 No. 340

EXITING THE EUROPEAN UNION

HEALTH AND SAFETY

The Carriage of Explosives (Amendment) (EU Exit) Regulations (Northern Ireland) 2020

Laid before the Assembly in draft

<i>Made</i>	- - - -	<i>17th December 2020</i>
		<i>at 11.00 p.m. on 31st</i>
<i>Coming into operation</i>		<i>December 2020</i>

The Department of Justice, being the devolved authority⁽¹⁾, makes the following Regulations in exercise of the powers conferred by paragraph 1(1) of Schedule 2 and paragraph 21(b) of Schedule 7 to, the European Union (Withdrawal) Act 2018⁽²⁾.

The requirements of paragraphs 1(11) and 38(5) of Schedule 7 to that Act (relating to the appropriate Assembly procedure for these Regulations) have been satisfied.

Citation and commencement

1. These regulations may be cited as the Carriage of Explosives (Amendment) (EU Exit) Regulations (Northern Ireland) 2020 and come into operation on IP completion day⁽³⁾.

Amendment of Regulations

2. The Carriage of Explosives Regulations (Northern Ireland) 2010⁽⁴⁾ are amended in accordance with regulations 3 to 6.

Amendments to Part 1 (Introductory provisions)

3.—(1) In regulation 2 (Interpretation – General) the Table in paragraph (5) is amended in accordance with paragraphs (2) to (4).

(2) After the expression and meaning of “ADR” insert—

(1) See Section 20(1) of [2018 c. 16](#).

(2) [2018 c. 16](#); Paragraph 21(b) of Schedule 7 was amended by paragraph 53(b) of schedule 5 to that Act.

(3) “IP completion day” is defined in section 39 of the European Union (Withdrawal Agreement) Act 2020.

(4) [S.R. 2010 No. 59](#), amended by [S.R. 2012 No. 177](#).

““the Annexes”	Subject to paragraphs (6) and (7), Annexes I and II to the Dangerous Goods Directive.”
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- (3) In the row containing the expression and meaning of “the Dangerous Goods Directive”—
- (a) before “Directive” insert “Subject to paragraphs (6) and (7),”; and
 - (b) for “as amended from time to time” substitute “as it had effect immediately before IP completion day”.
- (4) After the Table in paragraph (5) insert—
- “(6) References to—
 - (a) “the Annexes”; and
 - (b) “the Dangerous Goods Directive”,
- are subject to the modifications identified in paragraph (7).
- (7) Section I.1 of Annex I; and
 - (b) Section II.1 of Annex II—
- to the Dangerous Goods Directive are to be read as if “as applicable with effect from 1 January 2019,” had been omitted.”.

Amendments to Part 3 (Exemptions)

4.—(1) Regulation 12 (Derogations and transitional provisions) is amended in accordance with paragraphs (2) to (5).

(2) For paragraph (2)(a) and (b) substitute—

- “(a) implementing a derogation authorised under article 6(2) to (4) of and listed in—
- (i) section I.3 of Annex I, or
 - (ii) section II.3 of Annex II
- to the Dangerous Goods Directive that had effect immediately before IP completion day, subject to the modifications in paragraph (3); or
- (b) maintaining a transitional provision permitted by article 7 of and listed in—
- (i) section I.2 of Annex I, or
 - (ii) section II.2 of Annex II
- to the Dangerous Goods Directive, subject to the modifications in paragraph (3); or”

(3) For paragraph (3) substitute—

“(3) The modification referred to in paragraphs (2)(a) and (b) apply to the identified sections of those Annexes to the Dangerous Goods Directive, and are that any reference to a member State is to be read as a reference to—

- (a) the UK, or
- (b) a member State of the EU.”.

(4) Omit paragraphs (4) and (5).

(5) In paragraph (7) after “under regulation 13(1)” insert “or an exception under regulation 12A(1)”.

5. After regulation 12 insert—