STATUTORY RULES OF NORTHERN IRELAND

2012 No. 123

HEALTH AND SAFETY

The Identification and Traceability of Explosives (Amendment) (Northern Ireland) Regulations 2012 (revoked)

Made - - - -	*14th March 2012*
Laid before Parliament	*15th March 2012*
Coming into operation	*5th April 2012*

[[F1]The Secretary of State makes these regulations in exercise of the powers conferred by Articles 17(1), (2), (3)(c), 4(b) and (5) and 55 (2) of, and paragraphs 1(1) and (4), 2, 5(1), 14(1) and 15 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978 [F2] ("the 1978 Order"), as applied and modified, in relation to explosives, by Article 53 of the 1978 Order [F3]. In accordance with Article 46(1) [F4]of the 1978 Order, as so applied and modified, the Secretary of State has consulted with the Health and Safety Executive for Northern Ireland and such other bodies as appear to the Secretary of State to be appropriate.**]**

F1 Regulations revoked (5.4.2013) by The Identification and Traceability of Explosives Regulations (Northern Ireland) 2013 (S.R. 2013/48), regs. 1(1), **10(b)** (with regs. 3, 9)

F2 S.I. 1978/1039 (N.I.9).

F3 Article 53 was repealed by paragraph 3(3) of Schedule 12 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010 (S.I. 2010/976) but with a saving in paragraph 4(1)(b) for purposes connected with any reserved matter falling within paragraph 12 or 20 of Schedule 3 to the Northern Ireland Act 1998 (c. 47). The security of explosives is a reserved matter by virtue of paragraph 12 of Schedule 3 to the Northern Ireland Act 1998.

F4 Article 46(1) was amended by S.I. 1998/2795 (N.I.18) Article 6 and paragraph 18 of Schedule 1.

Citation and commencement

1. [[F1]These Regulations may be cited as the Identification and Traceability of Explosives (Amendment) (Northern Ireland) Regulations 2012 and shall come into operation on 5th April 2012.**]**

F1 Regulations revoked (5.4.2013) by The Identification and Traceability of Explosives Regulations (Northern Ireland) 2013 (S.R. 2013/48), regs. 1(1), **10(b)** (with regs. 3, 9)

Amendment of the Identification and Traceability of Explosives Regulations (Northern Ireland) 2010

2.—**[**[F1](1) The Identification and Traceability of Explosives Regulations (Northern Ireland) 2010 [F5]are amended as follows.

(2) In regulation 1, for "5th April 2012" substitute " 5th April 2013 ".

(3) After regulation 7, insert —

"**7A.**—(1) The Secretary of State must from time to time —

(a) carry out a review of these Regulations,

(b) set out the conclusions of the review in a report, and

(c) publish the report.

(2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how other member States have implemented Commission Directive 2008/43/EC setting up, pursuant to Council Directive 93/15/EC[F6], a system for the identification and traceability of explosives for civil uses [F7] which these Regulations implement.

(3) The report must in particular—

(a) set out the objectives intended to be achieved by the regulatory system established by these Regulations,

(b) assess the extent to which those objectives are achieved, and

(c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved with a system that imposes less regulation.

(4) The first report under this regulation must be published before the end of the period of five years beginning with the day on which this regulation comes into force.

(5) Reports under this regulation are afterwards to be published at intervals not exceeding five years.".**]**

F1 Regulations revoked (5.4.2013) by The Identification and Traceability of Explosives Regulations (Northern Ireland) 2013 (S.R. 2013/48), regs. 1(1), **10(b)** (with regs. 3, 9)

F5 S.I. 2010/143.

F6 OJ L 121, 15.5.1993, p.20, amended by Regulation (EC) No. 1882/2003 of the European Parliament and the Council (OJ L 284, 31.10.2003, p.1) and Regulation (EC) No. 219/2009 of the European Parliament and the Council (OJ L 87, 31.3.2009, p.109).

F7 OJ L 94, 5.4.2008, p.8.

Owen Paterson
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