1977 No. 128

EXPLOSIVES

Explosives Regulations (Northern Ireland) 1977

Made . . . . . 29*th April* 1977

Coming into operation . . . . 10*th July* 1977

To be laid before Parliament

The Secretary of State(**a**) in pursuance of section 3 of the Explosives Act (Northern Ireland) 1970(**b**) and article 3 of the Explosives (Northern Ireland) Order 1972(**c**) hereby makes the following regulations:

Citation and commencement

1. These regulations may be cited as the Explosives Regulations (Northern Ireland) 1977 and shall come into operation on 10th July 1977.

Amendment of the Explosives Regulations (Northern Ireland) 1970

2. In regulation 6 of the Explosives Regulations (Northern Ireland) 1970(**d**) after the words "Form 5" there shall be inserted the words "or Form 5A" and after the words "Form 6" there shall be inserted the words "or Form 6A" and for Forms 5 and 6 in the Schedule to those regulations there shall be substituted Forms 5, 5A, 6 and 6A set out in Schedule 1.

Transactions relating to, and transportation of, certain substances to which article 3 of the Explosives (Northern Ireland) Order 1972 applies

3.—(1) Subsections (1) to (4), subsection (5) (except for the words ", and shall where Explosives Regulations under section 3(3) so provide," and the words from "or returned" to the end) and subsection (7) of section 1 of the Explosives Act (Northern Ireland) 1970 shall have effect in relation to any sale, acquisition, transfer or disposal of a substance to which this regulation applies as if that substance were an explosive within the meaning of that Act.

(2) The transportation without the consent in writing of an officer of police of any substance to which this regulation applies in or through Northern Ireland or any part thereof is prohibited.

(3) In paragraph (2) "transportation" includes carriage or conveyance whether by road, rail or craft of any sort and "officer of police" means an officer of the Royal Ulster Constabulary not below the rank of Inspector.

(4) This regulation applies to any substance specified in Schedule 2 where the amount exceeds 500 grammes by weight or 500 millilitres by measure.

(5) Where section 1(1) of the said Act of 1970 has effect by virtue of paragraph (1) of this regulation, a person shall not—

(**a**) Formerly the Minister of Home Affairs for Northern Ireland: *see* S.I. 1973/2163 (1973 III, p. 7541)
(**b**) 1970 c. 10 (N.I.)
(**c**) S.I. 1972/730 (N.I. 3)
(**d**) S.R. & O. (N.I.) 1970 No. 110 (p. 532)

(*a*) for or in connection with obtaining a consent under section 1(1)(*a*) of that Act knowingly or recklessly make, or participate in, or assent to or acquiesce in, the making of any false or misleading statement; or

(*b*) knowingly or recklessly make, or participate in, or assent to or acquiesce in, the making of any false or misleading statement in any record required to be kept under section 1(1)(*b*) of that Act; or

(*c*) knowingly or recklessly omit, or participate in or assent to or acquiesce in the omission of, the entry of any material particular in any such record; or

(*d*) forge, counterfeit, falsify or fraudulently use or knowingly or wilfully alter, destroy, erase or obliterate the whole or any part of any such consent or record; or

(*e*) wilfully refuse to furnish any information within his knowledge to, or knowingly furnish false or misleading information to, a member of the Royal Ulster Constabulary with respect of any such consent or record.

(6) An application for the written consent of an officer of police under section 1(1)(*a*) of the said Act of 1970 to the sale, acquisition, transfer or disposal of a substance to which this regulation applies shall be in the form set out in Form 1 in Schedule 3 and such consent shall be in the form set out in Form 2 in that Schedule.

Record of transactions of substances to which regulation 3 *applies*

4.—(1) Where by virtue of regulation 3(1) section 1(1)(*b*) of the said Act of 1970 requires a permanent record to be kept of the sale, acquisition, transfer or disposal of a substance to which regulation 3 applies, that record shall be in the form set out in Form 3 in Schedule 3, and all the particulars specified in that Form shall be completed in accordance with paragraph (2).

(2) The following provisions shall apply to such record:—

(*a*) the record shall be completed in ink or ball-point pen;

(*b*) all details shall be inserted at the time of the transaction unless approval is given otherwise by the Secretary of State;

(*c*) an entry shall be made for each separate transaction and for each substance in every transaction; and

(*d*) the record shall be retained for a period of at least 2 years after the date of the last transaction and shall be available for inspection in accordance with section 1(2)(*a*) of the Act of 1970.

(3) Where the person receiving the substance is not known to the vendor, transferor, or person by whom it is being disposed of, then the vendor, transferor or person disposing of the substance shall require the purchaser or acquirer to submit evidence of identification and to sign the record of transactions.

Revocation

5. Regulation 2(*b*) of the Explosives (Amendment) (No. 2) Regulations (Northern Ireland) 1973(e) is hereby revoked.

Roy Mason
One of Her Majesty's Principal Secretaries of State

Northern Ireland Office
29th April 1977

(e) S.R. & O. (N.I.) 1973 No. 474 (II, p. 2772)

SCHEDULE 1 Regulation 2

FORMS TO BE SUBSTITUTED IN SCHEDULE TO EXPLOSIVES REGULATIONS (NORTHERN IRELAND) 1970

FORM 5

EXPLOSIVES ACT (NORTHERN IRELAND) 1970

Application for Consent to Purchase or Acquire Explosives for Blasting Purposes

(1) I, ...,
(name and place of residence of applicant)
hereby apply for the Consent of the Officer of Police to purchase or acquire the explosives specified in paragraph (2).

(2)† *Quantity and type of explosive*

Explosives: Classes 2 & 3*	Detonators* (number)	Fuse		Other explosive* (to be specified)
		Cordtex (length)	Safety* (length)	

*The type, brand, or series of the explosive should be specified separately, by quantity, in these columns.

†All unused spaces should be clearly struck through and cancelled.

(3) Name and place of business of supplier:

(4) Nature of blasting operations for which the explosives are required:

(5) Place(s) where blasting operations will be carried out and date by which such will be completed:

(6) Name and address of authorised shot-firer in charge of blasting operations:

(7) Business or occupation of applicant:

(8) I undertake to ensure compliance with the provisions of the Explosives Acts (Northern Ireland) 1875 to 1970, and of any regulations from time to time made thereunder governing the possession and use of explosives; and the terms and conditions of any Consent granted upon this application. I also undertake to follow the direction of the Officer of Police as to the transport of any explosives purchased or acquired under the authority of any Consent granted upon this application.

Date .....

Signature of Applicant .....

Note: This application should be forwarded to the Police Station of the district in which the applicant resides.

FORM 5A

EXPLOSIVES ACT (NORTHERN IRELAND) 1970

Application for Consent to Purchase or Acquire Explosives for Purposes other than Blasting

(1) I, ...,
(name and place of residence of applicant)
hereby apply for the Consent of the Officer of Police to purchase or acquire the explosives specified in paragraph (2).

(2) **Quantity and type of explosives*

Small arms Nitro-compound (lbs)	Gunpowder (lbs)	Industrial Safety Cartridges (number)	Blank Safety Cartridges (number)	Flares (number)	Rockets (number)	Others (to be specified)

*All unused spaces should be clearly struck through and cancelled.

(3) Name and place of business of supplier:

(4) Purpose for which the explosives are required:

(5) Place where the explosives will be—
(*a*) kept:
(*b*) used:

(6) Name and occupation of person responsible for safe custody of explosives:

(7) Expected date of purchase of explosives:
(This must not be later than 14 days from the application.)

(8) Type of secure storage provided for the explosives:

*(9) Amount of explosive already in possession at the date of application:

*(10) (*a*) Firearm Certificate number:
(*b*) Number of sporting cartridges specified on Firearm Certificate: