
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make fairly minor amendments to The Carriage of Explosives Regulations (Northern Ireland) 2010 (“the 2010 Regulations (1)”) as a result of Directive 2010/35/EU of the European Parliament and of the Council of 16 June 2010 on transportable pressure equipment and repealing Council Directives [76/767/EEC](#), [84/525/EEC](#), [84/526/EEC](#), [84/527/EEC](#) and [1999/36/EC](#) (OJ L165, 30.6.2010, p.1). These Regulations also include a provision prohibiting the carriage of explosives unless they have been classified by an appropriate authority.

Regulation 3 amends the Table in regulation 2 of the 2010 Regulations (1) by inserting new defined terms, removing an unnecessary definition and updating the meaning of the “Transportable Pressure Equipment Directive” so that it refers to the 2010 Directive.

Regulation 4 amends regulation 3 of the 2010 Regulations (1) in respect of the interpretation of ADR, RID and ADN for the purpose of those Regulations. A redundant provision is removed and “EU” is substituted for “Communities” to reflect European institutional reform. References to “competent authority” are inserted in ADR and RID text relating to the classification of class 1 goods. This latter change allows for the revocation of the Classification and Labelling of Explosives Regulations (Northern Ireland) 1991.

Regulation 5 revokes regulation 6 (Classification of Goods) of the 2010 Regulations (1).

Regulation 6 amends regulation 12(3) of the 2010 Regulations (1) to reflect the fact that the name of the document will be changed.

Regulation 7 amends regulation 14 to reflect the fact that the Department of Trade and Enterprise have made the Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations (Northern Ireland) 2010 and to update references to refer to the new EU Directive 2010/35/EU.

Regulation 8 amends regulation 17 of the 2010 Regulations (1) to provide a definition for military explosives and clarifies that the Department of Justice is responsible for the classification of commercial explosives.

Regulation 9 amends regulation 22 of the 2010 Regulations (1) to name the Chief Constable as enforcing authority in respect of carriage by roads and adds the Secretary to State for Defence as an enforcing authority.

Regulation 10 revokes the Classification and Labelling of Explosives Regulations (Northern Ireland) 1991.

Regulation 11 provides for consequential amendments as the result of the revocation of the Classification and Labelling of Explosives Regulations (Northern Ireland) 1991.

The Explanatory Memorandum is available alongside this instrument at www.legislation.gov.uk (this will be available when the Regulations have been made). An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.