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STATUTORY RULES OF NORTHERN IRELAND

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**1995 No. 87**

The Explosives in Harbour Areas  
Regulations (Northern Ireland) 1995

PART VIII

MISCELLANEOUS AND GENERAL

**Power to grant exemptions from these Regulations**

37.—(1) Subject to paragraph (2), the Secretary of State may, by a certificate in writing, exempt any person or class of persons from any requirement or prohibition imposed by or under these regulations and any such exemption may be granted subject to conditions and to a limit of time and may be revoked at any time by a certificate in writing.

(2) The Secretary of State shall not grant any such exemption unless, having regard to the circumstances of the case and in particular to—

- (a) the conditions, if any, which he proposes to attach to the exemption: and
- (b) any other requirements imposed by or under any enactment which apply to the case,

he is satisfied that neither the health nor safety of persons, nor the security of any explosive likely to be affected by the exemption, will be prejudiced in consequence of it.

(3) The Secretary of State may, in the interests of national security by a certificate in writing, exempt from all or any requirements or prohibitions imposed by these Regulations—

- (a) Her Majesty's forces;
- (b) visiting forces within the meaning of any of the provisions of Part I of the Visiting Forces Act 1952(1);
- (c) any headquarters or organisation designated for the purposes of the International Headquarters and Defence Organisations Act 1964(2);
- (d) any person engaged in the carriage, keeping or supply of any military explosives, if that person is under the direct supervision of a representative of the Ministry of Defence,

and any such exemption may be granted subject to conditions and to a limit of time and may be revoked by a certificate in writing at any time.

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(1) 1952 c. 67

(2) 1964 c. 5