
STATUTORY RULES OF NORTHERN IRELAND

2009 No. 273

The Explosives (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009

PART 1

INTRODUCTION

Citation and commencement

1. These Regulations may be cited as the Explosives (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009 and shall come into operation on 24th August 2009.

Commencement Information

11 [Reg. 1](#) in operation at 24.8.2009, see [reg. 1](#)

Interpretation

^{F1}2.

Textual Amendments

F1 [Reg. 2](#) revoked (with effect in accordance with reg. 11(c) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(c)** (with [reg. 2](#))

Application

^{F2}3.

Textual Amendments

F2 [Reg. 3](#) revoked (with effect in accordance with reg. 11(c) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(c)** (with [reg. 2](#))

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Explosives (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

PART 2

GENERAL REQUIREMENTS

Classification of dangerous substances and dangerous preparations

^{F3}4.

Textual Amendments

F3 Reg. 4 revoked (with effect in accordance with reg. 11(a) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(a)** (with reg. 2)

Safety data sheets for substances and preparations

^{F4}5.

Textual Amendments

F4 Reg. 5 revoked (with effect in accordance with reg. 11(a) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(a)** (with reg. 2)

[^{F5}Advertisements for dangerous preparations

5A.—(1) Subject to paragraph (2), a person who supplies a dangerous preparation shall not advertise that preparation, or arrange for the production of any such advertisement, unless mention is made in the advertisement of the type of hazard indicated on the label.

(2) Paragraph (1) shall apply only in respect of a dangerous preparation where the advertisement enables a person, otherwise than in the course of a business, to conclude a contract to purchase the dangerous preparation before that person has seen the label relating to the dangerous preparation.

(3) In this regulation “supply” has the same meaning as it has in section 46 of the Consumer Protection Act 1987.

(4) This regulation has effect until 31st May 2017.]

Textual Amendments

F5 Reg. 5A inserted (31.5.2015) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(3), **12(1)** (with reg. 2)

Packaging of dangerous substances, dangerous preparations and certain specified preparations

^{F6}6.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Explosives (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

F6 Regs. 6-11 revoked (with effect in accordance with reg. 11(a) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(a)** (with reg. 2)

Labelling of dangerous substances and dangerous preparations

F67.

Textual Amendments

F6 Regs. 6-11 revoked (with effect in accordance with reg. 11(a) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(a)** (with reg. 2)

Labelling of single receptacles and receptacles in outer packagings

F68.

Textual Amendments

F6 Regs. 6-11 revoked (with effect in accordance with reg. 11(a) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(a)** (with reg. 2)

Particular labelling requirements for certain preparations

F69.

Textual Amendments

F6 Regs. 6-11 revoked (with effect in accordance with reg. 11(a) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(a)** (with reg. 2)

Methods of marking or labelling packages

F610.

Textual Amendments

F6 Regs. 6-11 revoked (with effect in accordance with reg. 11(a) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(a)** (with reg. 2)

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Explosives (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Child resistant fastenings, tactile warning devices and other consumer protection measures

^{F6}11.

Textual Amendments

F6 Regs. 6-11 revoked (with effect in accordance with reg. 11(a) of the amending Rule) by The Explosives (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2015 (S.R. 2015/236), regs. 1(2), **11(a)** (with reg. 2)

Retention of data for dangerous preparations

^{F7}12.

Textual Amendments

F7 Reg. 12 revoked (with effect in accordance with reg. 11(c) of the amending Rule) by The Explosives (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2015 (S.R. 2015/236), regs. 1(2), **11(c)** (with reg. 2)

Transitional provisions for dangerous substances, dangerous preparations and certain specified preparations

^{F8}13.

Textual Amendments

F8 Reg. 13 revoked (with effect in accordance with reg. 11(a) of the amending Rule) by The Explosives (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2015 (S.R. 2015/236), regs. 1(2), **11(a)** (with reg. 2)

PART 3

MISCELLANEOUS

Enforcement

14.—^{F9}(1) To the extent that they would not otherwise do so, Articles—

- (a) 18 to 30 (approval of codes of practice; enforcement; indemnification of inspectors; power to obtain information and restrictions on disclosure of information);
- (b) 31 to 39 (provisions as to offences); and
- (c) 43(2) (civil liability),

of the 1978 Order shall apply to these Regulations and the CLP Regulation as if these Regulations and the CLP Regulation were health and safety regulations for the purposes of that Order except that these Articles shall not apply to duties placed by the CLP Regulation on the competent authority or the Member State.

^{F10}(1A) The maximum penalty for an offence under this regulation is—

- (a) on summary conviction, imprisonment for a term not exceeding three months or a fine not exceeding the statutory maximum, or both; and
- (b) on conviction on indictment, imprisonment for a term not exceeding two years, or a fine or both.]

(2) Any function of the Secretary of State for Northern Ireland under any other provision of the 1978 Order under or in respect of health and safety regulations (including their enforcement) shall be exercisable as if these Regulations and the CLP Regulation were health and safety regulations for the purpose of that Order to the extent that they would not otherwise do so.

(3) Notwithstanding anything in the Health and Safety (Enforcing Authority) Regulations (Northern Ireland) 1999⁽¹⁾ and subject to paragraph (4), the enforcing authority for these Regulations and the CLP Regulation shall be the Secretary of State.

(4) Where a substance or preparation is supplied, or a substance, mixture or article falling within the meaning of and the provisions of the CLP Regulation is placed on the market within the meaning of the CLP Regulation in or from premises which are registered under section 75 of the Medicines Act 1968⁽²⁾, the enforcing authority shall be the Department of Health, Social Services and Public Safety.]

Textual Amendments

- F9** Regs. 14-17 revoked (except to the extent they continue to apply for the purposes of enforcing reg. 12 of S.R. 2009/273) (with effect in accordance with reg. 11(b) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(b)** (with reg. 2)
- F10** Reg. 14(1A) inserted (31.5.2015) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(3), **12(2)** (with reg. 2)

Commencement Information

- I2** Reg. 14 in operation at 24.8.2009, see [reg. 1](#)

Defence

15. [^{F9}In any proceedings for an offence for a contravention of any of the provisions of these Regulations and the CLP Regulation it shall be a defence for the person charged to prove that the person took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.]

Textual Amendments

- F9** Regs. 14-17 revoked (except to the extent they continue to apply for the purposes of enforcing reg. 12 of S.R. 2009/273) (with effect in accordance with reg. 11(b) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(b)** (with reg. 2)

Commencement Information

- I3** Reg. 15 in operation at 24.8.2009, see [reg. 1](#)

(1) S.R. 1999 No. 90, as amended by S.R. 2000 No. 375, S.R. 2003 No. 33, S.R. 2006 No. 205, S.R. 2006 No. 425, S.R. 2007 No. 31 and S.R. 2007 No. 291

(2) 1968 c. 67; section 75(8) was amended by S.I. 1968/1699

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to *The Explosives (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009*. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Application within the territorial sea

16. [^{F9}Within the territorial sea these Regulations and the CLP Regulation shall apply only to and in relation to an activity to which any of paragraphs 2 to 6 of Schedule 6 applies.]

Textual Amendments

F9 Regs. 14-17 revoked (except to the extent they continue to apply for the purposes of enforcing reg. 12 of S.R. 2009/273) (with effect in accordance with reg. 11(b) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(b)** (with reg. 2)

Commencement Information

I4 [Reg. 16](#) in operation at 24.8.2009, see [reg. 1](#)

Revocation and Amendment

17.—[^{F9}(1) The Explosive Substances (Hazard Information) Regulations (Northern Ireland) 2000 are revoked(3).

(2) The regulation in Schedule 7 shall be amended to the extent specified in that table.]

Textual Amendments

F9 Regs. 14-17 revoked (except to the extent they continue to apply for the purposes of enforcing reg. 12 of S.R. 2009/273) (with effect in accordance with reg. 11(b) of the amending Rule) by [The Explosives \(Appointment of Authorities and Enforcement\) Regulations \(Northern Ireland\) 2015 \(S.R. 2015/236\)](#), regs. 1(2), **11(b)** (with reg. 2)

Commencement Information

I5 [Reg. 17](#) in operation at 24.8.2009, see [reg. 1](#)

Northern Ireland Office
23rd July 2009

Shaun Woodward
One of Her Majesty's Principal Secretaries of
State

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Explosives (Hazard Information and Packaging for Supply) Regulations (Northern Ireland) 2009. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- Sch. 1 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 2 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 2 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 1 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 2 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 3 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 4 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 5 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 6 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 3 para. 1 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 3 para. 2 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 1 para. 1 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 1 para. 2 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 1 para. 3 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 1 para. 4 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 5 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 6 para. 1 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 6 para. 2 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 6 para. 3 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 6 para. 4 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 6 para. 5 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 6 para. 6 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 7 Pt. 1 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 1 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 2 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 3 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 3(3)(c) words substituted by [S.R. 2014/26 reg. 2\(b\)](#) (This amendment not applied to legislation.gov.uk. S.R. 2014/26 revoked (28.2.2014) by S.R. 2014/47, regs. 1(1), 3)
- reg. 4 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 5 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 6 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 7 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 8 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 9 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 10 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 11 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 12 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 13 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 14 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 15 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 16 coming into force by [S.R. 2009/273 reg. 1](#)
- reg. 17 coming into force by [S.R. 2009/273 reg. 1](#)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- Sch. 3 Pt. 1 para. 7 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 8 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 9 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 10 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 11 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 12 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 13 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 14 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 15 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 16 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 17 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 18 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 3 Pt. 1 para. 19 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 2 Section A para. 1 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 2 Section A para. 2 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 2 Section A para. 3 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 2 Section A para. 4 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 2 Section B para. 1 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 2 Section B para. 2 coming into force by [S.R. 2009/273 reg. 1](#)
- Sch. 4 Pt. 2 Section C para. 1 coming into force by [S.R. 2009/273 reg. 1](#)
- Preamble words substituted by [S.R. 2014/26 reg. 2\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). [S.R. 2014/26](#) revoked (28.2.2014) by [S.R. 2014/47](#), regs. 1(1), 3)