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STATUTORY RULES OF NORTHERN IRELAND

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**2014 No. 224**

**The Control of Explosives Precursors  
etc. Regulations (Northern Ireland) 2014**

**PART 2**

**Control of tier 1 substances and tier 2 substances**

**Control of tier 2 substances**

4.—(1) Notwithstanding the prohibition in Article 4(1) of the Precursors Regulation, a member of the general public may deal with a tier 2 substance under, and in accordance with, the terms of—

- (a) a licence granted by the Secretary of State under regulation 5; or
- (b) a recognised non-NI licence.

(2) A “tier 2 substance” means a “restricted explosives precursor”<sup>(1)</sup> within the meaning of Article 3 of the Precursors Regulation, but in each case only if the substance or mixture is not a tier 1 substance.

(3) A member of the general public deals with a tier 2 substance if that person—

- (a) acquires the substance;
- (b) imports the substance into Northern Ireland;
- (c) possesses the substance; or
- (d) uses the substance.

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(1) Under Article 3(10) of the Precursors Regulation, a “restricted explosives precursor” means a substance listed in Annex I to the Precursors Regulation in a concentration higher than the corresponding limit value set out for that substance in that Annex, and includes a mixture or another substance in which the substance listed in that Annex is present in a concentration higher than the corresponding limit value, but in each case only if the substance or mixture is not excluded by Article 2(2) of the Precursors Regulation. Article 2(2) excludes: (a) any article, defined as an object which during production is given a special shape, surface or design which determines its function to a greater degree than does its chemical composition; (b) an article containing explosive substances or an explosive mixture of substances designed to produce heat, light, sound, gas or smoke or a combination of such effects through self-sustained exothermic chemical reactions, including (i) pyrotechnic equipment falling within the scope of Council Directive 96/98/EC (OJ L 46, 17/02/1997, p. 25–56) on marine equipment, and (ii) percussion caps intended specifically for toys falling within the scope of Council Directive 88/378/EEC (OJ L 187, 16/07/1988, p. 1–13) concerning the safety of toys; and (c) medicinal products, which in Northern Ireland will mean: (i) a medicinal product within the meaning of regulation 2 of the Human Medicines Regulations 2012 (S.I. 2012/1916), (ii) an investigational medicinal product within the meaning of regulation 2 of the Medicines for Human Use (Clinical Trials) Regulations 2004 (S.I. 2004/1031), (iii) a substance to which Part 12 of the Human Medicines Regulations 2012 or Part 6 of the Medicines for Human Use (Clinical Trials) Regulations 2004 applies by virtue of an order under section 104 or 105 of the Medicines Act 1968 (c. 67) (whether applying subject to exceptions or notifications or not and, in the case of an order under section 104, whether the substance is referred to in the order as a substance or an article), or (iv) a veterinary medicinal product within the meaning of regulation 2 of the Veterinary Medicines Regulations 2013 (S.I. 2013/2033).