

SCHEDULE 1

Regulation 7(2)

Defence Exemption Certificates

1. The Secretary of State may decide that it is necessary in the interests of defence for a person to be exempt from compliance with a requirement or prohibition in the CLP Regulation.

Commencement Information

I1 Sch. 1 para. 1 in operation at 1.6.2015, see [reg. 1\(2\)](#)

2. The Secretary of State may decide to apply the exemption—
- to a person, including the Secretary of State, or a category of persons;
 - to one or more requirement or prohibition at the same time;
 - prospectively;
 - for a limited or unlimited period;
 - generally or to a particular case;
 - subject to such limitations and conditions as the Secretary of State sees fit.

Commencement Information

I2 Sch. 1 para. 2 in operation at 1.6.2015, see [reg. 1\(2\)](#)

3. A decision by the Secretary of State to apply the exemption must be evidenced in writing by a certificate.

Commencement Information

I3 Sch. 1 para. 3 in operation at 1.6.2015, see [reg. 1\(2\)](#)

4. A certificate—
- must contain sufficient particulars of the persons to whom, and the matters to which, it relates; and
 - may be varied or revoked in writing.

Commencement Information

I4 Sch. 1 para. 4 in operation at 1.6.2015, see [reg. 1\(2\)](#)

5. The Secretary of State may provide to a person who has the benefit of a certificate—
- the certificate;
 - a copy of it; or
 - a copy of a relevant extract of the certificate.

Commencement Information

I5 Sch. 1 para. 5 in operation at 1.6.2015, see [reg. 1\(2\)](#)

Changes to legislation: There are currently no known outstanding effects for the The Explosives (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2015, SCHEDULE 1. (See end of Document for details)

6. A person who claims the benefit of a certificate must produce to the person listed in paragraph 7, when reasonably requested to do so—
- (a) the certificate;
 - (b) a copy of it made by the Secretary of State; or
 - (c) a copy made by the Secretary of State of a relevant extract of the certificate.

Commencement Information

I6 Sch. 1 para. 6 in operation at 1.6.2015, see **reg. 1(2)**

7. The persons referred to in paragraph 6 are—
- (a) an enforcing authority;
 - (b) a competent authority;
 - (c) the equivalent of an enforcing authority of another [^{F1}relevant state] ;
 - (d) the European Chemicals Agency.

Textual Amendments

F1 Words in Sch. 1 para. 7(c) substituted (12.3.2021) by The Explosives (Appointment of Authorities and Enforcement) (Amendment) (EU Exit) Regulations (Northern Ireland) 2021 (S.R. 2021/37), regs. 1, **2(5)**

Commencement Information

I7 Sch. 1 para. 7 in operation at 1.6.2015, see **reg. 1(2)**

8. Unless the contrary is proved—
- (a) the certificate;
 - (b) a copy of it made by the Secretary of State; or
 - (c) a copy made by the Secretary of State of a relevant extract of the certificate,
- is conclusive evidence of the matters to which it relates.

Commencement Information

I8 Sch. 1 para. 8 in operation at 1.6.2015, see **reg. 1(2)**

9. A person who fails to comply with paragraph 6 shall not be exempt from compliance with a requirement or prohibition in the CLP Regulation in the interests of defence.

Commencement Information

I9 Sch. 1 para. 9 in operation at 1.6.2015, see **reg. 1(2)**

Changes to legislation:

There are currently no known outstanding effects for the The Explosives (Appointment of Authorities and Enforcement) Regulations (Northern Ireland) 2015, SCHEDULE 1.