
STATUTORY INSTRUMENTS

1979 No. 1378

The Explosives Act 1875 (Exemptions) Regulations 1979

Power to grant exemptions

2.—(1) Subject to paragraph (2) of this Regulation, the Health and Safety Executive may, by a certificate in writing, exempt any person or class of persons from any requirement or prohibition imposed by any provision of Part I (except sections 30 to 32) or Part II of the Explosives Act 1875(1) or by any Regulation, Order in Council or Order made under such provisions, or under section 83 of that Act, and any such exemption may be granted subject to conditions and to a limit of time and may be revoked at any time.

(2) The Executive 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 it proposes to attach to the exemption, and
- (b) any other requirements imposed by or under any enactment which apply to the case,

it is satisfied that the health and safety of persons who are likely to be affected by the exemption will not be prejudiced in consequence of it and that the security of the explosives will not be so prejudiced.