
STATUTORY INSTRUMENTS

2003 No. 1082

The Ammonium Nitrate Materials (High Nitrogen Content) Safety Regulations 2003

Interpretation

2.—(1) In these Regulations “relevant ammonium nitrate material” means—

- (a) ammonium nitrate in solid form, where its nitrogen content is more than 28% of its weight,
- (b) material in solid form, comprising a mixture of components, one of which is ammonium nitrate, in circumstances where the nitrogen content derived from ammonium nitrate is more than 28% of the material by weight, and
- (c) for so long as any material is treated as relevant ammonium nitrate material by virtue of regulation 9(3), that material,

where the material has a total weight of five hundred kilogrammes or more, but does not include material which is a classified explosive.

(2) In these Regulations—

“batch” means—

- (a) in relation to relevant ammonium nitrate material ^{F1}...—
 - (i) the quantity of that material manufactured in a production run without alteration of composition or characteristics, or
 - (ii) in the case where such a production run lasts for more than 92 days, the quantity of the material manufactured—
 - (aa) in the first 92 day period of the run,
 - (bb) in each subsequent 92 day period of the run, and
 - (cc) in any part of the production run after the final such 92 day period;
- (b) ^{F2} ...
- (c) ^{F3} ...

“classified explosive” means anything which has been assigned to class 1 in accordance with the [^{F4}UN Recommendations];

[^{F5}“competent laboratory” means a laboratory which—

- (a) is accredited by the United Kingdom Accreditation Service under standard ISO 17025 (general requirements for the competence of testing and calibration laboratories) of the International Organisation for Standardisation;
- (b) is based in the United Kingdom or in the territory of a party to the CPTPP; and
- (c) has sufficient equipment, facilities and expertise to conduct a detonation resistance test and is independent from any person having an interest in the outcome of such test;]

[^{F6}“the CPTPP” has the meaning set out in section 1 of the Trade (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Act 2024;]

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Changes to legislation: There are currently no known outstanding effects for the The Ammonium Nitrate Materials (High Nitrogen Content) Safety Regulations 2003, Section 2. (See end of Document for details)

“detonation resistance certificate” means the original or a guaranteed copy of a certificate issued by a competent laboratory in the English language relating to a detonation resistance test of a sample of relevant ammonium nitrate material which confirms that the tested sample is resistant to detonation as specified and contains at least the other particulars set out in Schedule 1, and such a certificate is valid so long as it is not treated as invalid in consequence of regulation 8;

“detonation resistance test” means a test carried out by a competent laboratory in accordance with Schedule 2;

“guaranteed copy”, in relation to a detonation resistance certificate, means a copy, certified as a true copy of the original by a person who also certifies that he has no interest in the outcome of the detonation resistance test on which the detonation resistance certificate is based;

“identification document” means a document in the English language which contains at least the particulars set out in Schedule 3;

“production run” means a continuous production run except where—

- (a) the material produced in the run is—
 - (i) of the same type,
 - (ii) of a loose bulk density—
 - (aa) which throughout the run does not fall below the density of any sample from it which is subjected to a detonation resistance test by or on behalf of its manufacturer, or
 - (bb) which throughout the run does not fall below a density of 920 kilogrammes per cubic metre, and
 - (iii) produced and intended to be marketed as a fertiliser, and
- (b) the production process is—
 - (i) certified under standard ISO 9001 (quality management system requirements) of the International Organisation for Standardisation ^{M1}, ^{F7} ...
 - (ii) ^{F7} ...

in which case it also includes an interrupted production run;

“sampling body” means a body which is accredited under standard ISO 17020 (general criteria for the operation of various types of bodies performing inspection) or ISO 17025 (general requirements for the competence of testing and calibration laboratories) of the International Organisation for Standardisation ^{M2}, and—

- (a) is not an importer, manufacturer or supplier of relevant ammonium nitrate material,
- (b) is independent of any person with an interest in manufacture of or trading in any such material, and
- (c) has sufficient equipment, facilities and expertise to certify reliably that a sample of relevant ammonium nitrate material of the same specification that has been subjected to a detonation resistance test has been taken from an identifiable batch and is representative of that batch; ^{F8} ...

“unique numbered copy”, in relation to a detonation resistance certificate, means a copy of the certificate or of an existing unique numbered copy of the certificate, given by a person supplying relevant ammonium nitrate material to a person who takes delivery of a part or a subdivided part of a batch, to which the supplier has added a unique number and details to indicate the quantity of relevant ammonium nitrate material that is being supplied with that copy [^{F9}, ^{F10} ...]

[^{F11}“United Kingdom Accreditation Service” means a company limited by guarantee incorporated in England and Wales under number 03076190; and]

[^{F9}“UN Recommendations” means the United Nations Recommendations on the Transport of Dangerous Goods (based on those originally prepared by the United Nations Committee of Experts on the Transport of Dangerous Goods considered by the Economic and Social Committee of Experts at its twenty-third session (Resolution 645G (XXIII) of 26th April 1957)) as revised or reissued from time to time.]

(3) For the purposes of these Regulations—

- (a) a detonation resistance certificate shall be treated as relating to a batch or part batch if it is based on a detonation resistance test carried out on a sample certified by a sampling body as being representative of the batch or part batch;
- (b) a sample shall be treated as failing a detonation resistance test if the result of the test is that the sample is capable of detonation under the circumstances of such a test;^{F12} ...

^{F12}(c)

Textual Amendments

- F1** Words in reg. 2(2) omitted (31.12.2020) by virtue of The Fertilisers and Ammonium Nitrate Material (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/601), regs. 1(2), **9(2)(a)(i)**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** Words in reg. 2(2) omitted (31.12.2020) by virtue of The Fertilisers and Ammonium Nitrate Material (Amendment) (EU Exit) Regulations 2019 (S.I. 2019/601), regs. 1(2), **9(2)(a)(ii)**; 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in reg. 2(2) omitted (12.3.2019) by virtue of The Pesticides and Fertilisers (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/306), regs. 1(2), **2(3)(a)(iii)**
- F4** Words in reg. 2(2) substituted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), reg. 1, **Sch. para. 7(a)**
- F5** Words in reg. 2(2) substituted (coming into force in accordance with reg. 1(2) of the amending S.I.) by The Treatment of Conformity Assessment Bodies (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Regulations 2024 (S.I. 2024/504), **reg. 2(2)(a)**
- F6** Words in reg. 2(2) inserted (coming into force in accordance with reg. 1(2) of the amending S.I.) by The Treatment of Conformity Assessment Bodies (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Regulations 2024 (S.I. 2024/504), **reg. 2(2)(b)**
- F7** Words in reg. 2(2) omitted (12.3.2019) by virtue of The Pesticides and Fertilisers (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/306), regs. 1(2), **2(3)(c)**
- F8** Word in reg. 2(2) omitted (24.10.2011) by virtue of The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), reg. 1, **Sch. para. 7(b)**
- F9** Words in reg. 2(2) substituted (24.10.2011) by The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment (Amendment) Regulations 2011 (S.I. 2011/1885), reg. 1, **Sch. para. 7(c)**
- F10** Word in reg. 2(2) omitted (coming into force in accordance with reg. 1(2) of the amending S.I.) by virtue of The Treatment of Conformity Assessment Bodies (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Regulations 2024 (S.I. 2024/504), **reg. 2(2)(c)**
- F11** Words in reg. 2(2) inserted (coming into force in accordance with reg. 1(2) of the amending S.I.) by The Treatment of Conformity Assessment Bodies (Comprehensive and Progressive Agreement for Trans-Pacific Partnership) Regulations 2024 (S.I. 2024/504), **reg. 2(2)(d)**
- F12** Reg. 2(3)(c) and word omitted (12.3.2019) by virtue of The Pesticides and Fertilisers (Miscellaneous Amendments) (EU Exit) Regulations 2019 (S.I. 2019/306), regs. 1(2), **2(4)**

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Marginal Citations

M1 ISO/IEC 9001:2000.

M2 ISO/IEC 17020:1998 and 17025:1999.

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Changes to legislation:

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