

SCHEDULE 5

AMENDMENTS

PART 2

AMENDMENTS TO SECONDARY LEGISLATION

The Reporting of Injuries and Dangerous Occurrences Regulations 1995

40.—(1) The Reporting of Injuries, Diseases and Dangerous Occurrences Regulations 1995(1) shall be amended as follows.

(2) In Schedule 2 (dangerous occurrences) —

(a) in Part I (general) —

(i) for sub-paragraph (1)(a) of paragraph 6, substitute —

“(a) any unintentional fire, explosion or ignition at a site —

(i) where explosives are manufactured by a person who holds a licence, or who does not hold a licence but is required to, in respect of that manufacture under the Manufacture and Storage of Explosives Regulations 2005; or

(ii) where explosives are stored by a person who holds a licence or is registered, or who is not licensed but is required to be in the absence of any registration, in respect of that storage under those Regulations;

(aa) the unintentional explosion or ignition of explosives at a place other than a site described in sub-paragraph (1)(a), not being one —

(i) caused by the unintentional discharge of a weapon where, apart from that unintentional discharge, the weapon and explosives functioned as they were designed to do; or

(ii) where a fail-safe device or safe system of work functioned so as to prevent any person from being injured in consequence of the explosion or ignition;”;

(ii) at the end of paragraph 6(1)(e), insert “or from any intentional fire or ignition”; and

(iii) for paragraph 6(2), substitute —

“(2) In this paragraph —

“danger zone” means the area from which persons have been excluded or forbidden to enter to avoid being endangered by any explosion or ignition of explosives; and

“explosives” has the same meaning as in the Manufacture and Storage of Explosives Regulations 2005.”.

(3) In Schedule 7 (enactments or instruments requiring the notification of events which are not required to be notified or reported under the Regulations), omit the entry relating to the Explosives Act 1875.

(1) S.I.1995/3163, amended by S.I.1996/2092; there are other amending instruments but none is relevant.

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