

SCHEDULES

SCHEDULE 12

Explosives

Explosives Act 1875

1.—(1) The Secretary of State's functions immediately before the coming into force of this Order under sections 43, 83 and 104 of the Explosives Act 1875(1) are transferred to the Department of Justice.

(2) Any power of the Department of Justice to make an order under any of those sections is to be exercisable by statutory rule for the purposes of the Statutory Rules (Northern Ireland) Order 1979.

(3) An order made by the Department of Justice is subject to negative resolution (within the meaning of section 41(6) of the Interpretation Act (Northern Ireland) 1954).

(4) Any function of the Secretary of State immediately before the coming into force of this Order under section 96 of the Explosives Act 1875 is transferred to the Department of Justice.

(5) In this Schedule references to the Explosives Act 1875 are to that Act in its application to Northern Ireland.

(6) The functions transferred by sub-paragraphs (1) and (4) include functions under any provision not yet in force at the time immediately before the coming into force of this Order (and a reference in those sub-paragraphs to an enactment includes a reference to the enactment as amended by any provision of an enactment or instrument passed or made before that time, but not yet in force).

Commencement Information

II Sch. 12 para. 1 in force at 12.4.2010, see [art. 1\(2\)](#)

(1) 1875 c. 17, as modified, in relation to functions of Her Majesty, by S.R. & O. 1922 No. 183; Schedule 1 to the Irish Free State (Consequential Provisions) Act 1922 (Session 2 c. 2); Schedule 5 to the Northern Ireland Constitution Act 1973 (c. 36); Schedule 12 to the Northern Ireland Act 1998 (c. 47). Functions under the Act were transferred by S.I. 1973/2163. Section 43 was amended by the Customs and Excise Act 1952 (c. 44), Schedule 10; S.I. 1978/1885, Schedule 2, paragraphs 3 and 15; the Customs and Excise Management Act 1979 (c. 2), Schedule 4, paragraph 12; S.R. (N.I.) 2006 No. 425; and the Health and Safety (Offences) Act 2008 (c. 20) Schedule 3, paragraph 1. Section 83 was amended by S.R. (N.I.) 2006 No. 425. Section 96 was amended by S.I. 1974/1885. There are other amendments to the Act, but none are relevant.

Changes to legislation:

There are currently no known outstanding effects for the The Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, Cross Heading: Explosives Act 1875.