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STATUTORY INSTRUMENTS

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**2014 No. 1638**

**The Explosives Regulations 2014**

[<sup>F1</sup>PART 13

SUB-PART A: MAKING AVAILABLE ON THE MARKET –  
OBLIGATIONS OF ECONOMIC OPERATORS, SUB-PART  
B: CONFORMITY ASSESSMENT BODIES, SUB-PART C:  
NOTIFICATION OF CONFORMITY ASSESSMENT BODIES

*ALL ECONOMIC OPERATORS]*

[<sup>F1</sup>Obligations which are met by complying with obligations in the Directive

**64A.**—(1) In this regulation—

- (a) any reference to an Article or an Annex is a reference to an Article or an Annex of the Directive;
- (b) “CE marking” has the meaning given to it in Article 2(24);
- (c) “harmonised standard” has the meaning given to it in Article 2(16).

(2) Subject to paragraphs (6) and (7), paragraph (3) applies where, before placing a civil explosive on the market, the manufacturer—

- (a) ensures that the civil explosive has been designed and manufactured in accordance with the essential safety requirements set out in Annex II;
- (b) ensures that the relevant conformity assessment procedures that apply to that civil explosive in accordance with Article 20 have been carried out;
- (c) draws up the technical documentation referred to in Annex III;
- (d) ensures that the technical documentation and other records and correspondence relating to the conformity assessment procedures are prepared in or translated into English;
- (e) affixes a CE marking, in accordance with Articles 22 and 23(1) to (5);
- (f) draws up an EU declaration of conformity, in accordance with Article 21; and
- (g) ensures that the EU declaration of conformity is prepared in or translated into English.

(3) Where this paragraph applies—

- (a) the requirements of regulations 39, 40, 41(1) and 41(3) are to be treated as being satisfied;
- (b) regulations 41(2), 42, 43(2), 46(2) and 64 apply subject to the modifications in paragraph (10); and
- (c) Schedule 12 paragraph 12 does not apply.

(4) Subject to paragraphs (6) and (7), paragraph (5) applies where, before placing a civil explosive on the market, the importer ensures that—

**Changes to legislation:** The Explosives Regulations 2014, Section 64A is up to date with all changes known to be in force on or before 19 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (a) the relevant conformity assessment procedures that apply to that explosive in accordance with Article 20 have been carried out;
  - (b) the manufacturer has drawn up the technical documentation referred to in Annex III; and
  - (c) the civil explosive bears the CE marking referred to in Article 23.
- (5) Where this paragraph applies—
- (a) the requirements of regulation 48(1)(a) to (c) are to be treated as being satisfied; and
  - (b) regulations 47, 49(1), 52 and 60 apply subject to the modifications in paragraph (10).
- (6) This paragraph applies where there is no designated standard or part of a designated standard which corresponds exactly to a harmonised standard or part of a harmonised standard referred to in Article 19.
- (7) Where paragraph (6) applies paragraphs (2)(b) and (4)(a) are to be treated as requiring the manufacturer to carry out one of the conformity assessment procedures set out in Article 20.
- (8) Paragraph (9) applies where, before making a civil explosive available on the market, a distributor ensures that the civil explosive bears the CE marking referred to in Article 23.
- (9) Where this paragraph applies—
- (a) regulation 56(1)(a)(i) is to be treated as being satisfied; and
  - (b) regulations 57(1) and 60 apply subject to the modifications in paragraph (10).
- (10) The modifications referred to in sub-paragraphs (3)(b), (5)(b) and (9)(b) are that—
- (a) any reference to “declaration of conformity” is to be read as a reference to the EU declaration of conformity;
  - (b) any reference to “UK marking” is to be read as a reference to the CE marking;
  - (c) any reference to “essential safety requirements” is to be read as a reference to the essential safety requirements referred to in Annex II;
  - (d) any reference to “designated standard” is to be read as a reference to a harmonised standard;
  - (e) any reference to “relevant conformity assessment procedure” is to be read as a reference to the relevant conformity assessment procedures referred to in Article 20;
  - (f) any reference to “technical documentation” is a reference to the technical documentation referred to in Annex III.]

#### Textual Amendments

- F1** Regs. 64A-64D inserted (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), reg. 1, **Sch. 16 para. 23** (with Sch. 16 para. 29) (as amended by [S.I. 2020/676](#), regs. 1(1), 2, [The Product Safety and Metrology etc. \(Amendment etc.\) \(UK\(NI\) Indication\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1460\)](#), reg. 1(4), **Sch. 3 para. 10(4)(b)**); 2020 c. 1, Sch. 5 para. 1(1)

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**Changes and effects yet to be applied to :**

- reg. 64A(2) words omitted by [S.I. 2024/696 reg. 9\(3\)\(a\)](#)
- reg. 64A(4) words omitted by [S.I. 2024/696 reg. 9\(3\)\(a\)](#)
- reg. 64A(6) omitted by [S.I. 2024/696 reg. 9\(3\)\(b\)](#)
- reg. 64A(7) omitted by [S.I. 2024/696 reg. 9\(3\)\(b\)](#)