

STATUTORY INSTRUMENTS

2023 No. 63

The Control of Explosives Precursors and Poisons Regulations 2023

Online marketplaces

5.—(1) An operator of an online marketplace must take all reasonably practicable measures to provide information to any supplier who uses the online marketplace to make a relevant transaction, about—

- (a) the requirements that are imposed by the 1972 Act, by these Regulations, and by the 2015 Regulations, in relation to the supply of regulated substances and reportable substances; and
 - (b) the offences that apply in respect of a failure to comply with the requirements referred to in sub-paragraph (a).
- (2) An operator of an online marketplace must—
- (a) take all reasonably practicable measures to identify any relevant transaction that a supplier makes or proposes to make using the online marketplace, that would give the operator reasonable grounds for believing the transaction to be suspicious; and
 - (b) report a relevant transaction if the operator has reasonable grounds for believing that transaction to be suspicious.
- (3) In this regulation—
- (a) “online marketplace” means any software (including a website, part of a website, or an application) through which persons other than the operator are able to sell goods (whether or not the operator also does so);
 - (b) “operator” means the person who controls access to, and the contents of, the online marketplace;
 - (c) “relevant transaction” has the meaning given by section 3C(2) of the 1972 Act;
 - (d) whether or not a relevant transaction is suspicious is to be construed in accordance section 3C(3) and (4) of the 1972 Act;
 - (e) a duty to report a relevant transaction is a duty to give notice of it to the Secretary of State in accordance with regulation 6.

Commencement Information

II [Reg. 5](#) in force at 1.10.2023, see [reg. 1\(1\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Control of Explosives Precursors and Poisons Regulations 2023, Section 5.