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L.N. 150 of 2012

EXPLOSIVES ORDINANCE
(CAP. 33)
Identification and Traceability of Explosives for Civil Uses (Amendment) Regulations, 2012

IN exercise of the powers conferred by article 22 of the Explosives Ordinance, the Minister responsible for Justice and Home Affairs has made the following regulations:-

Citation, scope and commencement.

S.L. 33.06.

1. (1) The title of these regulations is the Identification and Traceability of Explosives for Civil Uses (Amendment) Regulations, 2012 and these regulations shall be read and construed as one with the Identification and Traceability of Explosives for Civil Uses Regulations, hereinafter referred to as "the principal regulations".

(2) The scope of these regulations is to transpose Directive 2012/4/EU of 22 February 2012 amending Directive 2008/43/EC setting up, pursuant to Council Directive 93/15/EEC, a system for the identification and traceability of explosives for civil uses.

(3) The regulations shall come into force on the 5th April, 2013:

Provided that the provisions necessary to comply with regulation 4(6) and regulations 14 and 15 of the principal regulations shall come into force on the 5th April, 2015.

Amends regulation 2 of the principal regulations.

2. Regulation 2 shall be amended as follows:

(a) in regulation 2(2)(c) of the principal regulations for the words "ammunitions." there shall be substituted the words "ammunitions:" and immediately thereafter there shall be added the following new paragraphs:

"(d) fuses, which are cord-like non-detonating igniting devices;

(e) safety fuses, which consist of a core of fine grained black powder surrounded by a flexible woven fabric with one or more protective outer coverings and which, when ignited, burn at a predetermined rate without any external explosive effect;

(f) cap-type primers, which consist of a metal or plastic cap containing a small amount of primary explosive mixture that is readily ignited by impact and which serve as

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igniting elements in small arms cartridges or in percussion primers for propelling charges.";

3. Regulation 8 of the principal regulations shall be substituted by the following: Substitutes regulation 8 of the principal regulations.

"Plain detonators. 8. For plain detonators the unique identification shall consist of an adhesive label or direct printing or stamping on the detonator shell. An associated label shall be placed on each case of detonators. In addition, undertakings may use a passive inert electronic tag attached to each detonator, and an associated tag for each case of detonators.".

4. Regulation 10 of the principal regulations shall be substituted by the following: Substitutes regulation 10 of the principal regulations.

"Primers and boosters. 10. For primers other than those referred to in regulation 2 and for boosters the unique identification shall consist of an adhesive label or direct printing on such primers and boosters. An associated label shall be placed on each case of such primers and boosters. In addition, undertakings may use a passive inert electronic tag attached to each such primer and booster, and an associated tag for each case of such primers and boosters.".

5. Regulation 11 of the principal regulations shall be substituted by the following: Substitutes regulation 11 of the principal regulations.

"Detonating cords. 11. For detonating cords the unique identification shall consist of an adhesive label or direct printing on the bobbin. The unique identification will be marked every 5 meters on either the external envelope of the cord or the plastic extruded inner layer immediately under the exterior fibre of the cord. An associated label shall be placed on each case of detonating cord. In addition, undertakings may use a passive inert electronic tag inserted within the cord, and an associated tag for each case of cord.".

6. Paragraph 3 of the Schedule to the principle regulations shall be substituted by the following: Amends the Schedule to the principal regulations.

"3. (a) For articles too small to affix the information under paragraph 1(b)(i) and (ii) and paragraph 2 or where it is technically impossible due to their shape or design to affix a unique identification, a unique identification shall be affixed on

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each smallest packaging unit.

(b) Each smallest packaging unit shall be closed with a seal.

(c) Each plain detonator or booster falling under the exemption set out in the second paragraph shall be marked in a durable way so as to ensure that it is clearly legible with the information under paragraph 1(b)(i) and (ii). The number of plain detonators and boosters contained shall be printed on the smallest packaging unit.

(d) Each detonating cord falling under the exemption set out in the second paragraph shall be marked with the unique identification on the reel or spool and, where applicable, on the smallest packaging unit.".

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