

Explosives and desensitised explosives – Certification and Licensing

The [Explosives Regulations 2014](#) have consolidated and revoked previous explosives regulations, which among other changes has revised the registration and licencing system for the manufacture and storage of explosives. Under the 2014 regulations, explosive means:

(a) any explosive article or explosive substance which would –

- if packaged for transport, be classified in accordance with the United Nations Recommendations as falling within Class 1; or
- be classified in accordance with the United Nations Recommendations as –
 - being unduly sensitive or so reactive as to be subject to spontaneous reaction and accordingly too dangerous to transport, and
 - falling within Class 1; or

(b) a desensitised explosive (i.e. a solid or liquid explosive that is wetted or dissolved to suppress its explosive properties, and which would be a Class 1 substance without that treatment).

As this is a very broad definition, it is not possible to provide an exhaustive list of all substances that fall under it.

Those wishing to obtain and use explosives may need to apply for an explosives certificate and a licence. Certificates are issued by the Police, and are used to confirm that a person is fit to acquire or to acquire and keep explosives. Licences grant permission to manufacture or store explosives, and are issued by a number of authorities. In most cases, licences to store at the University will be issued by either the Police or the Nottinghamshire Fire and Rescue Service, but see the [HSE's licence application page](#) for more information.

There are exemptions to the need for certification and for storage licences. [Schedule 2](#) to the regulations lists the substances that do not need a certificate to acquire or keep. The schedule is in two parts, and although part one is similar to the old Schedule 1 of COER there are some differences. The second part is more descriptive, and the most relevant sections for University staff are likely to be:

8. Any desensitised explosive acquired, in a quantity not exceeding 5 grams, for the purposes of—

(a) research, analysis or testing at a University; and

16. A solution of the explosive substance 2,4, 6-Trinitrophenol (picric acid) in a concentration no greater than 2% weight per volume intended for use as an analytical reagent, stain, dye or fixative.

Exceptions to the need for a manufacturing licence can be found in [Regulation 6 of the 2014 regulations](#), and exceptions for storage licences are in [Regulation 7](#). Storage exemptions are typically short-term, and depend on the hazard type of the explosive. Hazard type is not an inherent property of a substance, as it depends on a number of factors such as the quantity of substance, how it is packaged, and how it is stored. [Guidance on determining hazard type](#) is available online from the HSE.

One of the more important exemptions for University staff is that no more than 5kg of hazard type 3 or 4 substances which are in Schedule 2 can be kept without a licence indefinitely.

Please remember – an exemption from the need to obtain a certificate does not automatically mean that a licence is not needed, and vice versa. The licencing and certification streams run in parallel, but are used for different purposes and in many cases both will be required.