



STATUTORY INSTRUMENTS.

S.I. No. 106 of 2012

EUROPEAN UNION (SYSTEM FOR THE IDENTIFICATION AND
TRACEABILITY OF EXPLOSIVES FOR CIVIL USES) (AMENDMENT)
REGULATIONS 2012

(Prn. A12/0569)

EUROPEAN UNION (SYSTEM FOR THE IDENTIFICATION AND TRACEABILITY OF EXPLOSIVES FOR CIVIL USES) (AMENDMENT) REGULATIONS 2012

I, ALAN SHATTER, Minister for Justice and Equality, in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972) and for the purpose of giving effect to Commission Directive 2012/4/EU¹ of 22 February 2012 make the following regulations:

1. These Regulations may be cited as the European Union (System for the Identification and Traceability of Explosives for Civil Uses) (Amendment) Regulations 2012.

2. The European Communities (System for the Identification and Traceability of Explosives for Civil Uses) Regulations 2009 (S.I. No. 133 of 2009) are amended—

(a) in Regulation 1, by substituting the following for paragraph (3):

“(3) (a) Subject to subparagraph (b), these Regulations come into operation on 5 April 2013.

(b) Regulations 4(4), 7, 8 and 9 come into operation on 5 April 2015.”,

(b) in Regulation 3, by substituting the following for paragraph (c):

“(c) ammunitions;

(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 igniting elements in small arms cartridges or in percussion primers for propelling charges.”,

(c) by substituting the following for Schedule 1:

¹OJ No. L50/18, 23.2.2012.

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 6th April, 2012.

“Schedule 1

Cartridged explosives and explosives in sacks

1. For cartridged explosives and explosives in sacks, the unique identification shall consist of an adhesive label or direct printing on each cartridge or sack.

An associated label shall be placed on each case of cartridges.

In addition, undertakings may use a passive inert electronic tag attached to each cartridge or sack and similarly, an associated electronic tag for each case of cartridges.

Two-component explosives

2. For packaged two-component explosives, the unique identification shall consist of an adhesive label or direct printing on each smallest packaging unit containing the two components.

Plain detonators

3. 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.

Electric, non-electric and electronic detonators

4. For electric, non-electric and electronic detonators, the unique identification shall consist either of an adhesive label on the wires or tube, or 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.

Primers and boosters

5. For primers other than those referred to in Regulation 3(f) 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.

Detonating cords

6. 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 metres 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.

Cans and drums containing explosives

7. For cans and drums containing explosives, the unique identification shall consist of an adhesive label or direct printing on the can or drum containing the explosives.

In addition, undertakings may use a passive inert electronic tag attached to each can and drum.”,

and

(d) by substituting the following for Schedule 2:

“Schedule 2

1. Subject to paragraph 2, the unique identification shall comprise:

- (a) a human readable part of the identification containing the following:
 - (i) the name of the manufacturer;
 - (ii) an alphanumerical code containing:
 - (I) the two letters IE identifying the State as the place of production or import onto the Community market;
 - (II) three digits identifying the name of the manufacturing site (attributed by the Minister);
 - (III) the unique product code and logistical information designed by the manufacturer;
- (b) an electronic readable identification in barcode and/or matrix code format that relates directly to the alphanumerical identification code.

Example:

Alfa Explosives Limited



IE 023 100806 B 34512345101

2. (a) For articles too small to affix the unique product code and logistical information designed by the manufacturer, the information under paragraph 1(a)(ii)(I), 1(a)(ii)(II) and 1(b) shall be considered sufficient.
- (b) For articles too small to affix the information under paragraph 1(a)(ii)(I), 1(a)(ii)(II) and 1(b) or where it is technically impossible due to their shape or design to affix a unique identification, a unique identification shall be affixed on each smallest packaging unit.
- (c) Each smallest packaging unit shall be closed with a seal.
- (d) Each plain detonator or booster falling under the exemption set out in subparagraph (b) shall be marked in a durable way so as to ensure that it is clearly legible with the information under paragraph 1(a)(ii)(I) and 1(a)(ii)(II). The number of plain detonators and boosters contained shall be printed on the smallest packaging unit.
- (e) Each detonating cord falling under the exemption set out in subparagraph (b) shall be marked with the unique identification on the reel or spool and, where applicable, on the smallest packaging unit.”.



GIVEN under my Official Seal,
31 March 2012.

ALAN SHATTER,
Minister for Justice and Equality.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These regulations amend the European Union (System for the Identification and Traceability of Explosives for Civil Uses) Regulations 2009 (S.I. No 133 of 2009). They provide for a postponement of one year, i.e. to 5 April 2013, of the obligation on manufacturers and importers to mark explosives and a postponement of 3 years i.e. to 5 April 2015, in respect of obligations on data collection and record keeping. The Regulations also provide for certain other technical amendments.

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