

SCHEDULES

SCHEDULE 21

POISONS AND EXPLOSIVES PRECURSORS

Establishment of common regulatory system

13 After section 9A (inserted by paragraph 12) insert—

“9B Power to disapply requirements or exclusions in specified circumstances

- (1) The Secretary of State may by regulations provide—
 - (a) that some or all of the requirements of this Act do not apply in circumstances specified in the regulations;
 - (b) that either or both of the exclusions do not apply in circumstances specified in the regulations.
- (2) The power in subsection (1) may be exercised in relation to a substance or group of substances, in relation to persons or a class of persons or in any other way.
- (3) When exercising the power in relation to a substance or group of substances, the regulations may for example provide that the requirements or exclusions in question do not apply to the substance, or substances in the group, where the substance—
 - (a) is intended for use for a specified purpose, or
 - (b) is contained in a specified substance, mixture or article, or
 - (c) is prepared in a specified manner or form, or
 - (d) is so intended, contained or prepared and is present in a concentration that is no higher than a specified limit.
- (4) Nothing in subsection (2) or (3) is to be read as limiting the provision that may be made under subsection (1).
- (5) In this section—
 - (a) “the exclusions” means the exclusions in section 2 for substances that are medicinal or contained in a specific object,
 - (b) “the requirements of this Act” means the requirements of section 3, 3A, 3B or 3C or of regulations under section 7,
 - (c) “specified” includes described,
 - (d) references to a substance also include a mixture, and
 - (e) references to a group of substances includes a group comprising all the substances listed in Schedule 1A.”