



Northern  
Ireland  
Office

# Proposals to amend the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006

Northern Ireland Office  
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Firearms and Explosives Branch  
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PROPOSALS FOR REGULATIONS TO AMEND THE MANUFACTURE AND STORAGE  
OF EXPLOSIVES REGULATIONS (NORTHERN IRELAND) 2006

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The Consultative Document is available on the Northern Ireland Office website at:  
[www.nio.gov.uk/index/public-consultation/documents.htm](http://www.nio.gov.uk/index/public-consultation/documents.htm)

Copies of this document are also available free of charge on request. Please contact Firearms and Explosives Branch by telephone (028) 905 20056 (or see paragraph 8 for alternative contact details).

The documents may be made available, on request, in different formats for individuals with particular needs. A text-phone request facility is also available by phoning (028) 905 27668.

## INTRODUCTION

1. This Consultative Document (CD) sets out the Secretary of State's proposals for Regulations (at Annex 1) to amend the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006 (S.R. 2006 No. 425) (MSER). The Regulations can be viewed at [www.opsi.gov.uk/sr/sr2006/20060425.htm](http://www.opsi.gov.uk/sr/sr2006/20060425.htm). The Secretary of State is obliged by the Health and Safety at Work (Northern Ireland) Order 1978 to consult any appropriate bodies before making new Regulations. Comments are invited on the draft Regulations.
2. The CD will be of interest to everyone involved in the manufacture, storage, sale and handling of explosives.

## BACKGROUND

3. The amendments to MSER are to address issues that have become apparent since the Regulations came into operation. The main changes are to permit the Secretary of State to grant a licence or issue a certificate of registration for a period not exceeding 5 years; allow for a registration to be varied; give the Secretary of State the power to refuse to transfer a licence or registration if he is of the opinion that the transferee is not a fit person; place a new duty on manufacturers etc regarding the accuracy of information as to net mass of explosive content of pyrotechnic articles; and increase the fees.

## THE DRAFT REGULATIONS

4. The following paragraphs summarise the main proposed amendments to MSER -
  - (a) regulation 5(2) disapplies separation distances in cases where the Secretary of State grants a licence under the public hearing procedure. Regulation 26(4) disapplies regulation 11(4) (the requirement to have a public hearing) in certain specified cases. The intention was to ensure that in these cases there was no need to go through the public hearing process. However, this had the unintended consequence of disapplying regulation 5(2). The proposed amendment to regulations 5(2), 11(2)(b)(i), 11(7) and 15(1)(b) means that regulation 5(2) applies where regulation 11(4) applies or would have applied but for the effect of regulation 26(4);
  - (b) there are provisions in MSER which provide dispensations for people keeping small quantities of low-hazard explosives but they do not cover the propellant cartridges used in model rockets. The inclusion of regulation 5(3)(a)(aa) extends the dispensation from maintaining separation distances to model rocket users and the amendment to Schedule 2 to include certain model rocket motors permits users to keep small quantities of these explosives without a licence or registration;
  - (c) the new regulation 5(3)(e) extends the provision in regulation 5(3)(d) (which permits the police to store small quantities of explosives for dog training

purposes without the need to maintain separation distances) to other operational purposes;

(d) regulation 10(2)(d) exempts re-enactors and similar users from the need to apply for a licence or registration in cases where the storage of explosives is temporary. The amendment extends the duration of the exemption from 3 to 5 days to provide for events being held over Bank Holiday weekends;

(e) regulation 10(2)(g) allows a subsidiary company to use a store licensed by its parent company without the need to apply for a licence itself. However, there is no equivalent provision where the parent company is registered and the amendment corrects this;

(f) since MSER define “explosives” as explosive articles and explosive substances, in the phrase “explosives or explosive articles” in regulations 10(3)(b) and 13(8), the words “explosive articles” are superfluous and are being deleted;

(g) at present licences to store less than 2000kg of explosives and certificates of registration are renewable every 3 years. The proposals increase the duration of such licences and certificates of registration to a maximum of 5 years. This would reduce the administrative burden on both the Northern Ireland Office and business;

(h) the deletion of regulation 11(5)(b) (grant of licences), as this is superfluous to the more general exemption at regulation 11(5)(a);

(i) the amendment to regulation 15 extends the provision to vary a licence to varying a registration;

(j) in its Third Report of Session 2006 - 07 (the Report can be viewed at [www.publications.parliament.uk/pa/jt200607/jtselect/jtstatin/12/12.pdf](http://www.publications.parliament.uk/pa/jt200607/jtselect/jtstatin/12/12.pdf)), the Joint Committee on Statutory Instruments expressed concern that, under the provisions of regulation 18 (transfer of licences and registration) of MSER, a licence or certificate of registration could be transferred to a person who is not a fit person to manufacture or store explosives. Regulation 18 is therefore amended to the effect that the transferee must apply to the Secretary of State for the transfer of a licence or certificate of registration. The Secretary of State will only agree to the transfer if he is satisfied that the transferee is a fit person;

(k) the amendment to regulation 20(1)(a) allows for a longer period of grace for someone else to take over the running of the business in the event of death or incapacity of the licensee or registered person;

(l) the maximum quantity that may be stored under a licence or registration is based on the net mass of explosive contained in the explosive article. In the case of fireworks and other pyrotechnic articles, the net mass of explosive is assumed to be one quarter of the gross weight unless the supplier provides more specific information. The proposed regulation 25A would place a duty on the manufacturer, importer or supplier to ensure that any such information, so far as is reasonably practicable, does not understate the actual quantity;

(m) to replace Schedule 4 (fees) with a new Schedule. In most cases the increases are in line with inflation except for the fee for the grant of a licence to store no more than 2000 kilograms of explosives. The above inflation increase in this case is necessary to allow the Secretary of State to move towards full cost recovery as required by HM Treasury's Fees and Charges Guide. Increases in the fees for licences to store no more than 2000kg of explosives and certificates of registration are also necessary due to the proposals to increase their duration from 3 to 5 years;

(n) the proposed amendment to paragraph 2(g) of Schedule 5 is to make it clearer that a plan is not required in circumstances where separation distances do not have to be maintained;

(o) in the third row of column 3 (extent of repeal) of Part 1 (repeals) of Schedule 7 (repeals and revocations), to replace the words "62 and 66" with "62 to 66"; and

(p) repeal section 53 of the Explosives Act 1875 (appointment of government inspectors), as well as related sections, as these powers are no longer required given the repeal of section 85 of the Terrorism Act 2000.

## **COSTS AND BENEFITS**

5. A Regulatory Impact Assessment has not been prepared as the fees are increased for inflation or to allow for the full recovery of the economic cost of performing chargeable statutory functions.

## **EQUALITY IMPACT**

6. Section 75 of the Northern Ireland Act 1998 requires public authorities to have due regard to the need to promote equality of opportunity and to have regard to the desirability of promoting good relations between certain groups of people. A screening of the proposals (Annex 2) has indicated that no section 75 group will be adversely affected by the proposals and that they need not be subject to a full Equality Impact Assessment.

## **INVITATION TO COMMENT**

7. All views on the proposals are welcome but the Secretary of State would be particularly grateful for your comments on -

- the proposals to extend the duration of licences to store less than 2000kg of explosives and certificates of registration from 3 to 5 years;
- the usefulness of extending the provision to vary a licence to a registration;
- the revised process for the transfer of a licence or registration; and

- the new proposal to place a duty on manufacturers, importers and suppliers to ensure that they do not understate the quantity of explosives in the information that they provide on the net mass of the explosives in the articles that they supply.

We will acknowledge receipt of all the comments that we receive and will try to answer any questions raised.

8. An electronic version of this document is available to view and download from the NIO website ([www.nio.gov.uk](http://www.nio.gov.uk)). Hard copies will be posted on request. The text phone details are provided below. Copies in various other formats, including large print, Braille, audio cassette, computer disc etc, may be made available on request. If you wish to access the document in an alternative format or language, please let us know and we will do our best to assist you.

9. Please send your comments, which should include your name and a contact address, in whatever format you choose to:

Mrs Norma Dempster  
Northern Ireland Office  
Security and Protection Division  
Firearms and Explosives Branch  
Room A4.24  
Castle Buildings  
Stormont Estate  
Belfast  
BT4 3SG

Telephone: (028) 9052 0056  
Facsimile: (028) 9052 0194  
Email: [feb@nio.x.gsi.gov.uk](mailto:feb@nio.x.gsi.gov.uk)  
Text-phone: (028) 9052 7668

so as to arrive not later than 5pm on **Friday 16 January 2009**.

10. Information provided in response to this consultation, including personal information, may be published or disclosed in accordance with the access to information regimes (these are primarily the Freedom of Information Act 2000 (FOIA), the Data Protection Act 1998 (DPA) and the Environmental Information Regulations 2004).

11. If you want your information to be treated as confidential, please be aware that, under the FOIA, there is a statutory Code of Practice with which public authorities must comply and which deals, amongst other things, with obligations of confidence. In view of this it would be helpful if you could explain to us why you regard the information that you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded as binding on the Department.

12. The Department will process your personal data in accordance with the DPA and this will mainly mean that your personal data will not be disclosed to third parties.

13. If you have any concerns or complaints about the consultation **process**, you should contact the Northern Ireland Office's consultation co-ordinator, Donna Knowles, on (028) 9052 7015, or by e-mail at [donna.knowles@nio.x.gsi.gov.uk](mailto:donna.knowles@nio.x.gsi.gov.uk). Alternatively, you may write to her at the Equality Branch, Central Management Unit, Northern Ireland Office, Stormont House Annexe, Stormont Estate, Belfast, BT4 3SH.

## CONSULTATION CRITERIA

The Government's general consultation criteria are to:

- \* consult widely throughout the consultation process, allowing a minimum of 12 weeks for written consultation at least once during the development of the policy;
- \* be clear about what the proposals are, who may be affected, what questions are being asked and the timescale for responses;
- \* ensure that the consultation is clear, concise and widely accessible;
- \* give feedback on the responses received and how the consultation process influenced policy;
- \* monitor the Department's effectiveness at consultation, including through the use of a designated consultation co-ordinator; and
- \* ensure that consultation follows better regulation best practice, including carrying out a regulatory impact assessment if appropriate.

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 STATUTORY RULES OF NORTHERN IRELAND
 

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200[ ] No. [ ]

**HEALTH AND SAFETY**
**The Manufacture and Storage of Explosives (Amendment)  
Regulations (Northern Ireland) 200[ ]**
*Made* [ ]*Coming into operation* [ ]*To be laid before Parliament*

The Secretary of State makes the following Regulations in exercise of the powers conferred by Articles 17(1), (2), (4) and (5), 40(2) and (4), 53(1), 54(1) and 55(2) of, and paragraphs 1(1), (2) and (3), 6, 10, 13, 14(1), 15, 17 and 19 of Schedule 3 to, the Health and Safety at Work (Northern Ireland) Order 1978(1) as applied and modified by Article 53 of that Order. In accordance with Article 46(1)(2) of that Order he has consulted with the Health and Safety Executive for Northern Ireland(3) and such bodies as appeared to him to be appropriate.

**Citation and Commencement**

1. These Regulations may be cited as the Manufacture and Storage of Explosives (Amendment) Regulations (Northern Ireland) 200[ ] and shall come into operation on [ ].

**Amendments to the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006**

2. The Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006(4) shall be amended in accordance with the Schedule.

**Amendments to the Explosives Act 1875**

3. Sections 53, 54, 55, 56, 61 and 76 of the Explosives Act 1875(5) shall be omitted.

 Northern Ireland Office  
[ ]

 One of Her Majesty's Principal  
Secretaries of State

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(1) S.I. 1978/1039 (N.I. 9); Article 47A was inserted by Article 3, and Article 2 was amended by Articles 4 and 8, of S.I. 1997/1774 (N.I. 16)

(2) Article 46 was amended by S.I. 1998/2795 (N.I. 18), Article 6(1) and Schedule 1, paragraphs 8 and 18

(3) Formerly the Health and Safety Agency for Northern Ireland; see S.I. 1998/2795 (N.I. 18), Article 3(1)

(4) S.R. 2006 No. 425

(5) 1875 c.17 (38 & 39 Vict.).

## SCHEDULE

Regulation 2

AMENDMENTS TO THE MANUFACTURE AND STORAGE OF  
EXPLOSIVES REGULATIONS (NORTHERN IRELAND) 2006

1. In regulation 2(1) (interpretation)—
  - (a) after the definition of “mine”, insert—
 

““model rocket motors” means explosive articles allocated the U.N. nos. 0186, 0272, 0349, 0351 or 0471 which are intended to be used for the propulsion of model rockets;”; and
  - (b) in the definition of “registration”, after “regulation 13” add “and includes a varied registration.”.
2. In regulation 5 (separation distances)—
  - (a) in paragraph (2), at the end add “or would have been required pursuant to that provision but for the operation of regulation 26(4)”; and
  - (b) in paragraph (3)—
    - (i) after sub-paragraph (a), insert—
 

“(aa) a combined total of 5 kilograms of shooters’ powder and model rocket motors;”;
    - (ii) at the end of sub-paragraph (d), add “; and”;
    - (iii) after sub-paragraph (d), insert—
 

“(e) 4 kilograms of explosive kept by a police force for operational purposes other than those referred to in sub-paragraph (d),”; and
    - (iv) at the end, add “and, in the case of any storage of model rocket motors, the net mass of explosive content of each model rocket motor must not exceed 1 kilogram.”.
3. In regulation 10 (explosives not to be stored without a licence or certificate of registration)—
  - (a) in paragraph (2)(d), for “3 days” substitute “5 days”;
  - (b) for paragraph 2(g), substitute—
 

“(g) the storage of explosives by a company which is a wholly-owned subsidiary of another company at a site in relation to which that company holds—

    - (i) a licence to store explosives; or
    - (ii) a registration,

and that storage by the wholly-owned subsidiary is in accordance with any condition of that licence or registration.”; and
  - (c) in paragraph (3)—
    - (i) in sub-paragraph (a), omit “and” at the end;
    - (ii) in sub-paragraph (b)—
      - (aa) omit “or explosive articles to which they respectively relate”; and
      - (bb) at the end, add “; and”; and
    - (iii) after sub-paragraph (b), insert—
 

“(c) where a person keeping model rocket motors wishes to rely on the exception referred to in paragraph (2)(a)(ii)(bb), each model rocket to be stored for the purposes of that exception must have a net mass of explosive content not exceeding 1 kilogram.”.
4. In regulation 11 (grant of licences)—
  - (a) in paragraph (2)(a), for “3 years” substitute “5 years”;

- (b) in paragraph (2)(b)(i), after “applies” add “or would have applied but for the operation of regulation 26(4)”;
  - (c) omit paragraph (5)(b); and
  - (d) in paragraph (7), after “paragraph (4)” insert “or would have been required pursuant to that provision but for the operation of regulation 26(4)”.
- 5.** In regulation 13—
- (a) in paragraph (4), for “3 years” substitute “5 years”; and
  - (b) in paragraph (8), omit “or explosive articles to which they respectively relate”.
- 6.** In sub-paragraph (1)(a) of regulation 14 (refusal of licences, registrations and draft licences), after “registration” add “or a renewal of a licence or registration”.
- 7.** In regulation 15 (variation of licences)—
- (a) at the end of the heading, add “and registration”;
  - (b) in paragraph (1)(b), after “11(4)” add “, or would have been required but for the operation of regulation 26(4),”; and
  - (c) after paragraph (2), insert—
    - “(2A) The Secretary of State may vary a registration—
    - (a) where there has been a change of circumstances such that the separation distances can no longer be maintained and a consequent reduction in the quantity of explosives that may be stored is required so as to reduce that quantity to one specified by the Secretary of State which is below the maximum quantity referred to in regulation 13(1) for the kind of explosives concerned;
    - (b) where the registered person is a company and the name of the company changes;
    - (c) so as to change the period for which the registration is in operation; and
    - (d) in relation to any of the matters to which it relates, by agreement with the registered person.”.
- 8.** In regulation 17 (further provisions concerning refusals, variations and revocations)—
- (a) in paragraph (1)(a), after “registration” add “or a renewal of a licence or registration”; and
  - (b) in paragraph (3)(a), after “registration” add “or a renewal of a licence or registration”.
- 9.** For regulation 18 (transfer of licences and registration), substitute—
- “**18.**—(1) A licence or registration may be transferred in writing by the Secretary of State to any other person who wishes to manufacture or store explosives in place of the licensee or registered person and who applies to the Secretary of State for the transfer.
- (2) The Secretary of State shall grant an application for a transfer of a licence or registration unless he is of the opinion that the applicant is not a fit person—
- (a) to manufacture explosives, in the case of an application to transfer a licence to do so; or
  - (b) to store explosives, in the case of an application to transfer a licence or registration to do so.
- (3) A refusal to transfer a licence or registration shall be treated for the purposes of these Regulations as a refusal of an application for a licence or registration and the provisions of regulation 17 shall apply to any such refusal to transfer as if the references in that regulation “to refuse an application for a licence or registration” included refusing to transfer a licence or registration.”.
- 10.** In regulation 20(1) (death, incapacity or bankruptcy)—
- (a) for “terms”, substitute “conditions”;

- (b) in sub-paragraph (a)—
- (i) for “28 days from” substitute “a period of 60 days starting with the date of”; and
  - (ii) omit “or”;
- (c) in sub-paragraph (b), at the end add “or”; and
- (d) after sub-paragraph (b), insert—
- “(c) the transfer of, or refusal to transfer, a licence or registration.”.

11. After regulation 24 (prohibition concerning the acquisition and supply of fireworks)—

**“Information as to net mass of pyrotechnic articles**

**25A.** Where the manufacturer, importer or supplier of a pyrotechnic article specifies its net mass of explosive on the pyrotechnic article, its packaging or in a document accompanying it, he shall ensure, so far as is reasonably practicable, that the net mass of the explosive in that pyrotechnic article does not exceed the quantity he so specifies on, as the case may be, the pyrotechnic article, the packaging or that document.”.

12. In Schedule 2 (exceptions)—

- (a) under the heading “EXCEPTIONS”, add “PART 1”; and
- (b) at the end, insert—

**“PART 2**

Model rocket motors which—

- (a) are allocated the U.N. nos. 0186, 0272, 0349, 0351 or 0471;
- (b) are intended to be used for the propulsion of model rockets; and
- (c) in respect of each individual model rocket motor, have a net mass of explosive content of no more than 1 kilogram.”

13. For Schedule 4 (fees), substitute—

**“SCHEDULE 4**

Regulation 19

**FEES**

<i>1</i>	<i>2</i>	<i>3</i>	<i>4</i>
<i>Provision in relation to which the application is made</i>	<i>Purpose of application</i>	<i>Fee</i>	<i>Fee for work by Specialist Inspector</i>
Regulation 11	Licence to manufacture explosives not being ammonium nitrate blasting intermediate nor relating to on-site mixing	£605	£ 122 per hour worked
	Licence to manufacture ammonium nitrate blasting intermediate	£150 per hour worked	

## Annex A

	Licence to manufacture explosives by means of on-site mixing	£225	£122 per hour worked
	Licence to store more than 2000 kilograms of explosives or licence which provides for different separation distances to apply than those specified in Schedule 1	£605	£122 per hour worked
	Licence to store no more than 2000 kilograms of explosives (see Note)	£405	
	Renewal of a licence	£300	
Regulation 13	Registration in relation to the storage of explosives (see Note )	£195	
	Renewal of a registration	£150	
Regulation 15	Varying a licence to manufacture explosives not being ammonium nitrate blasting intermediate or licence to store more than 2000 kilograms of explosives	£415	£122 per hour worked
	Varying a licence to manufacture ammonium nitrate blasting intermediate	£150 per hour worked	
	Varying a licence to store no more than 2000 kilograms of explosives:		
	(a) varying name of licensee or address of site	£33	
	(b) any other kind of variation		the reasonable cost to the Secretary of State of having the work carried out
Regulation 18	Transfer of a licence or registration	£33	

Replacement of a licence £33  
or certificate of  
registration if lost

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Note:

The fee payable for —

- (a) a licence to store no more than 2000 kilograms of explosives;
  - (b) registration; or
  - (c) renewal of a licence to store no more than 2000 kilograms of explosives or renewal of a registration,
- of less than 5 years' duration shall be, respectively, the fee set out above for such a licence, registration or a renewal of such a licence or a registration of 5 years' duration decreased proportionately according to the duration of the period for which the licence in question, registration or renewal of either is granted.”.

**14.** In Schedule 5 (register)—

(a) for paragraph 2(g), substitute—

“(g) where separation distances are required by regulation 5 or a condition of the licence to be maintained around the building where explosives are manufactured or the store, a plan in a suitable scale sufficient to show those separation distances;”;  
and

(b) in paragraph 4(b), omit “only”.

**15.** In the third column of Part 1 of Schedule 7 (repeals and revocations), for “62 and 66” substitute “62 to 66”.

# NIO POLICY EQUALITY SCREENING FORM

## PART I

### 1. SCOPING THE POLICY

#### 1. Title of policy

The Manufacture and Storage of Explosives (Amendment) Regulations (Northern Ireland).

#### 2. Brief description of policy. Do any other policies interact with this policy?

The Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006 came into operation on 1 December 2006 and are concerned with health and safety issues in relation to the keeping of explosives, including fireworks.

#### 3. Aims of policy

The substantive changes are to permit the Secretary of State to grant a licence or issue a certificate of registration for a period not exceeding 5 years; allow for a registration to be varied; give the Secretary of State the power to refuse to transfer a licence or registration if he is of the opinion that the transferee is not a fit person; place a new duty on manufacturers etc regarding the accuracy of information as to net mass of pyrotechnic articles; and increase the fees.

#### 4. Who is responsible for devising and delivering the policy?

Firearms and Explosives Branch.

#### 5. Are there any linkages to NI Departments or NDPBs in relation to this policy/legislation? How are these interfaces managed?

No.

**6. Who is the policy/legislation likely to impact upon? What data is available to facilitate the screening exercise?**

Persons manufacturing and storing explosives.  
Data from the Manufacture and Storage of Explosives licensing database.

**7. Who will implement the policy?**

Firearms and Explosives Branch.

**PART II**

**2. SCREENING ANALYSIS**

**1 Is there any evidence or indication of higher or lower participation or uptake by different groups? If so, please indicate below.**

<b>CATEGORY</b>	<b>YES</b>	<b>NO</b>	<b>DON'T KNOW</b>
Gender/Gender Identity		<b>X</b>	
Sexual orientation		<b>X</b>	
Religion		<b>X</b>	
Political opinion		<b>X</b>	
Disability (physical and learning)		<b>X</b>	
Race or ethnic origin (includes Travellers)		<b>X</b>	
Age		<b>X</b>	
Dependant responsibilities		<b>X</b>	
Marital/Civil Partnership status		<b>x</b>	

Please give reasons for your answer, including sources of data used.

**2. Is there any evidence or indication that different groups have different needs, experiences, issues or priorities in relation to the particular policy?**

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		<b>X</b>	
Sexual orientation		<b>X</b>	
Religion		<b>X</b>	
Political opinion		<b>X</b>	
Disability (physical and learning)		<b>X</b>	
Race or ethnic origin (includes Travellers)		<b>X</b>	
Age		<b>X</b>	
Dependant responsibilities		<b>X</b>	
Marital/Civil Partnership status		<b>X</b>	

Please give reasons for your answer, including sources of data used:

No such matters have been brought to our attention to date and we have no reason to believe that there might be any.

Any additional comments:

None.

**3 Is there an opportunity to better promote equality of opportunity or better community relations by altering the policy or working with others in Government or in the larger community?**

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		<b>X</b>	
Sexual orientation		<b>X</b>	
Religion		<b>X</b>	
Political opinion		<b>X</b>	
Disability (physical and learning)		<b>X</b>	
Race or ethnic origin (includes Travellers)		<b>X</b>	
Age		<b>X</b>	
Dependant responsibilities		<b>X</b>	
Marital/Civil Partnership status		<b>X</b>	

Please give reasons for your answer, including sources of data used:

The policy has no impact on equality of opportunity or community relations

**4 Equality Commission guidance states that the screening process should include pre-consultation with those who may be affected by the policy. Have consultations with relevant groups, organisations or individuals indicated that the policy may create problems, which are specific to them?**

CATEGORY	YES	NO	DON'T KNOW
Gender/Gender Identity		<b>X</b>	
Sexual orientation		<b>X</b>	
Religion		<b>X</b>	
Political opinion		<b>X</b>	
Disability (physical and learning)		<b>X</b>	
Race or ethnic origin (includes Travellers)		<b>X</b>	
Age		<b>X</b>	
Dependant responsibilities		<b>X</b>	
Marital/Civil Partnership status		<b>X</b>	

Please give reasons for your answer, and details of any consultations that have taken place:

Industry may be aware that the proposals are being considered as the Health and Safety Executive in Great Britain has consulted on making similar Amendment Regulations.

#### **Have you answered YES?**

If the answer to **any** of the questions in respect of any of the categories is “**YES**”, then you – in discussion with the Equality Unit – will need to consider whether the policy has a significant impact on equality of opportunity and, therefore, should be subject to an equality impact assessment.

If the answer to **all** the questions in section 2 is **NO** an equality impact assessment is not required.

If the answer to any of the above questions is **DON'T KNOW**, and common sense and experience indicate that a differential impact may

be expected, you will need to discuss this with the staff in the Equality Unit.

**It may be that a policy has an adverse differential impact on certain people in one or more of the categories as a consequence of targeting or affirmative action to combat an existing or historical inequality. If this is the case, please give details below and contact the Equality Unit if you are in doubt:**

The policy does not have a significant impact on equality of opportunity and does not therefore need to be subject to an equality impact assessment.

### **PART III**

#### **OBLIGATIONS UNDER THE DISABILITY DISCRIMINATION ORDER**

##### **Consideration of Disability Duties**

5. Does this proposed policy / decision provide an opportunity for NIO to better promote positive attitudes towards disabled people?

##### **Explain your assessment in full**

No.

6. Does this proposed policy / decision provide an opportunity for NIO to actively increase the participation by disabled people in public life?

##### **Explain your assessment in full**

No.

### **PART IV**

#### **EQUALITY IMPACT ASSESSMENT RECOMMENDATION**

**1 If screening has indicated that a policy is having an adverse differential impact, how would you categorise it?**

Please tick.

Significant impact

Low impact ✓

**2 Do you consider that this policy needs to be submitted to a full equality impact assessment?**

<b>YES</b>	<b>NO</b>
	<b>X</b>

**3. What data do you believe may be required to ensure effective monitoring of the policy in the future?**

N/A

**Signed:** Eric Kingsmill

**Grade:** B1

**Branch/Division:** Firearms and Explosives Branch, SPD

**Date:** 14 October 2008

**Agreed by Head of Division:** Peter May

**Copy to Divisional Equality Driver:** Caroline Mersey