



STATUTORY INSTRUMENTS.

S.I. No. 66 of 2026



EUROPEAN UNION (MARKETING AND USE OF EXPLOSIVES
PRECURSORS) REGULATIONS 2026

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I, JIM O'CALLAGHAN, Minister for Justice, Home Affairs and Migration, 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 full effect to Regulation (EU) 2019/1148 of the European Parliament and of the Council of 20 June 2019¹, hereby make the following regulations:

Citation and Commencement

1. (1) These Regulations may be cited as the European Union (Marketing and Use of Explosives Precursors) Regulations 2026.

(2) These Regulations shall come into operation on 6 March 2026.

Interpretation

2. (1) In these Regulations —

“Explosives Precursors Regulation” means Regulation (EU) 2019/1148 of the European Parliament and of the Council of 20 June 2019¹ on the marketing and use of explosives precursors, amending Regulation (EC) No 1907/2006 and repealing Regulation (EU) No 98/2013;

“inspector of explosives precursors” has the meaning assigned to it by Regulation 8(2);

“Minister” means the Minister for Justice, Home Affairs and Migration.

(2) A word or expression that is used in these Regulations and also used in the Explosives Precursors Regulation has, unless the context otherwise requires, the same meaning in these Regulations as it has in the Explosives Precursors Regulation.

(3) A reference in these Regulations to a numbered Article is a reference to the Article so numbered of the Explosives Precursors Regulation.

Offences relating to making available, introduction, possession and use of restricted explosives precursor

3. A person who contravenes Article 5(1) shall be guilty of an offence.

Offences relating to failure to inform supply chain

4. (1) An economic operator that contravenes paragraph (1) or (2) of Article 7 shall be guilty of an offence.

¹ OJ No. L 186, 11.7.2019, p. 1

(2) An online marketplace that contravenes Article 7(3) shall be guilty of an offence.

Offences relating to verification upon sale

5. (1) An economic operator that contravenes —

- (a) paragraph (2) or (3), or
- (b) paragraph (4) insofar as it relates to information referred to in paragraph (2),

of Article 8 shall be guilty of an offence.

(2) An online marketplace that contravenes Article 8(5) shall be guilty of an offence.

Offences relating to reporting of suspicious transactions

6. An economic operator or online marketplace that contravenes paragraph (1), (2), (4) or (5) of Article 9 shall be guilty of an offence.

National contact point

7. (1) An Garda Síochána is designated as the national contact point for the purposes of Article 9(3).

(2) An Garda Síochána, as the national contact point —

- (a) shall, on its website, and
- (b) may, in such other manner as it considers appropriate,

publish a telephone number, email address and such other contact details as it considers appropriate for that purpose.

National inspection authority and inspectors of explosives precursors

8. (1) The Minister is designated as the national inspection authority for the purposes of Article 11(1).

(2) The national inspection authority may appoint a person (in these Regulations referred to as an “inspector of explosives precursors”) for the purpose of ensuring compliance with Articles 5 to 9.

(3) An inspector of explosives precursors shall be furnished with a warrant of his or her appointment by the national inspection authority and, when exercising a power conferred by Regulation 9, shall, if requested by any person affected, produce the warrant or a copy of it to that person for inspection.

(4) The appointment of an inspector of explosives precursors under this Regulation shall cease —

- (a) on the revocation of the appointment by the national inspection authority,

- (b) in a case where the appointment is for a specified period, on the expiration of that period, or
- (c) on the resignation of the person from the appointment.

Powers of inspectors of explosives precursors and related offences

9. (1) An inspector of explosives precursors may, for the purpose of ensuring that Articles 5 to 9 are being complied with —

- (a) subject to paragraph (3), at all reasonable times, enter any premises or place at which there are reasonable grounds to believe that a regulated explosives precursor is or is likely to be found or made available on the market or that books, documents or records relating to a regulated explosives precursor are kept, and search and inspect the premises or place and any such regulated explosives precursor or books, documents or records found therein,
- (b) secure for later inspection such premises or place or part thereof in which such regulated explosives precursor or books, documents or records are kept or in which there are reasonable grounds for believing that such regulated explosives precursor or books, documents or records are kept,
- (c) require any person in charge of or employed in such premises or place to give the inspector of explosives precursors such books, documents or records (and, in the case of such information in a non-legible form, to reproduce it in a permanent legible form) that are in the person's power or control or to give the inspector of explosives precursors such information as he or she may reasonably require in relation to any entries in such books, documents or records,
- (d) inspect, and take copies of or extracts from, any such books, documents or records (including, in the case of information in non-legible form, a copy of or extract from such information in a permanent legible form),
- (e) take any measurements or photographs or make any tape, electrical or other recordings that he or she considers necessary for the purposes of any inquiry, search, examination, investigation or inspection under this Regulation,
- (f) remove and detain, where he or she has reasonable cause to suspect that there has been a contravention of any of the said Articles, any such regulated explosives precursor or books, documents or records or part thereof for such period as may be reasonable for further examination or until the conclusion of any legal proceedings,
- (g) as regards any substance or mixture the inspector of explosives precursors finds at or in such premises or place, require any person in charge of the premises or place, or any person who

appears to the inspector of explosives precursors to be in possession of the substance or mixture, to supply without payment, for test, examination or analysis sufficient samples thereof,

- (h) examine any procedure connected with the making available, introduction, possession or use of a regulated explosives precursor,
- (i) require any person to afford the inspector of explosives precursors such facilities and assistance within the person's control or responsibilities that are reasonably necessary to enable the inspector of explosives precursors to exercise any of the powers conferred on him or her under this Regulation, or
- (j) acquire regulated explosives precursor samples, including under a cover identity, from an economic operator or an online marketplace in order to inspect those samples to identify non-compliance with the said Articles and to obtain evidence.

(2) When performing any power under this Regulation, an inspector of explosives precursors may, subject to any warrant under paragraph (5), be accompanied by such number of other inspectors of explosives precursors or members of An Garda Síochána as the inspector of explosives precursors considers appropriate.

(3) An inspector of explosives precursors shall not, other than with the consent of the occupier, enter a private dwelling unless the inspector of explosives precursors has obtained a warrant from the District Court under paragraph (5) authorising such entry.

(4) Where an inspector of explosives precursors in the exercise of his or her powers under this Regulation is prevented from entering any premises or place, an application may be made to the District Court under paragraph (5) for a warrant authorising such entry.

(5) If a judge of the District Court is satisfied on the sworn information of an inspector of explosives precursors that there are reasonable grounds for suspecting that there is information required by an inspector of explosives precursors under this Regulation held at a premises or place or there is a regulated explosives precursor which an inspector of explosives precursors requires to inspect for the purposes of this Regulation held at a premises or place or that an inspection of a premises or place is likely to disclose evidence of a contravention of Articles 5 to 9, the judge may issue a warrant authorising an inspector of explosives precursors, whether alone or accompanied by other inspectors of explosives precursors or members of An Garda Síochána, at any time within one month from the date of issue of the warrant, on production of the warrant, if so requested, to enter, if needs be by reasonable force, the premises or place and exercise all or any of the powers conferred on an inspector of explosives precursors under this Regulation.

(6) An application under paragraph (5) shall be made to a judge of the District Court assigned to the District Court district in which the premises or place concerned is situated.

(7) A person who —

- (a) obstructs or interferes with an inspector of explosives precursors in the exercise of his or her powers under this Regulation or a warrant under paragraph (5),
- (b) without reasonable cause, fails or refuses to comply with a request or a requirement of an inspector of explosives precursors pursuant to this Regulation or a warrant under paragraph (5), or
- (c) gives information or makes a statement to an inspector of explosives precursors, in purported compliance with a request or requirement under this Regulation or a warrant under paragraph (5), that the person knows to be false or misleading,

shall be guilty of an offence.

(8) (a) Where an inspector of explosives precursors believes, upon reasonable grounds, that a person has committed an offence under subparagraph (a), (b) or (c) of paragraph (7), the inspector of explosives precursors may request the person to provide his or her name and the address at which he or she ordinarily resides to the inspector of explosives precursors and the person shall comply with that request.

(b) A person who does not provide the details specified in subparagraph (a) above shall be guilty of an offence.

(9) A statement or admission made by a person pursuant to a requirement under paragraph (1)(c) shall not be admissible as evidence in proceedings brought against the person for an offence.

(10) Where a person is convicted of an offence under these Regulations, the court shall, unless it is satisfied that there are special and substantial reasons for not so doing, order the person to pay to the national inspection authority, where appropriate, the costs and expenses, measured by the court, reasonably incurred by the national inspection authority, in relation to the investigation, detection and prosecution of the offence, including costs incurred in any taking of samples, making of copies, removal, detention, measurement, photographing, recording, testing, acquisition, carrying out of tests, examinations and analyses and in respect of the remuneration and other expenses of employees, consultants and advisers.

(11) In this Regulation —

(a) a reference to a premises or a place includes a reference to a vehicle or a vessel,

(b) “record” includes, in addition to a record in writing —

(i) a disc, tape, sound-track or other device in which information, sounds or signals are embodied so as to be capable (with or without the aid of some other instrument) of being reproduced in legible or audible form,

(ii) a film, tape or other device in which visual images are embodied so as to be capable (with or without the aid of

some other instrument) of being reproduced in visual form, and

(iii) a photograph,

and

- (c) a reference to a copy of a record includes a reference to —
- (i) in the case of a record to which paragraph (b)(i) applies, a transcript of the sounds or signals embodied therein,
 - (ii) in the case of a record to which paragraph (b)(ii) applies, a still reproduction of the images embodied therein, and
 - (iii) in the case of a record to which subparagraphs (i) and (ii) of paragraph (b) apply, such a transcript together with such a still reproduction.

Offences by body corporate

10. (1) Where an offence under these Regulations is committed by a body corporate and is proved to have been so committed with the consent or connivance of, or to be attributable to, any wilful neglect on the part of any person, being a director, manager, secretary or other officer of the body corporate or a person who was purporting to act in any such capacity, that person, as well as the body corporate, shall be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

(2) Where the affairs of a body corporate are managed by its members, paragraph (1) applies in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director or manager of the body corporate.

Penalties for offences

11. A person who commits an offence under these Regulations shall be liable —

- (a) on summary conviction, to a class A fine or imprisonment for a term not exceeding 12 months, or to both, or
- (b) on conviction on indictment —
 - (i) in the case of an offence under Regulation 3 that consists of the making available or introduction of a restricted explosives precursor to a member of the general public, to a fine not exceeding €100,000 or imprisonment for a term not exceeding 3 years or both,
 - (ii) in the case of an offence under Regulation 3 that consists of the possession or use of a restricted explosives precursor by a member of the general public, to a fine not exceeding €20,000 or imprisonment for a term not exceeding 3 years or both, and

- (iii) in the case of any other offence, to a fine not exceeding €20,000 or imprisonment for a term not exceeding 3 years or both.

Forfeiture upon conviction

12. Where a person is convicted of an offence under these Regulations, the court may order the forfeiture to the national inspection authority of any regulated explosives precursor to which the offence relates.

Revocation

13. The European Union (Marketing and Use of Explosives Precursors) Regulations 2014 (S.I. No. 611 of 2014) are revoked.



GIVEN under my Official Seal,
26 February, 2026.

JIM O'CALLAGHAN,
Minister for Justice, Home Affairs and Migration.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

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r-phost: publications@opw.ie

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