EXPLANATORY MEMORANDUM TO

THE CONTROL OF EXPLOSIVES PRECURSORS ETC. (AMENDMENT) REGULATIONS (NORTHERN IRELAND) 2026

2026 No. 89

1. Introduction

1.1 This explanatory memorandum has been prepared by the Northern Ireland Office and is laid before Parliament by Command of His Majesty.

2. Declaration

2.1 Rt. Hon Hilary Benn MP, Secretary of State for Northern Ireland at the Northern Ireland Office confirms that this Explanatory Memorandum meets the required standard.

2.2 Lyndon Hughes-Jennett, Deputy Director for the Security & Protection Group, at the Northern Ireland Office confirms that this Explanatory Memorandum meets the required standard.

3. Contact

3.1 Jay Crush at the Northern Ireland Office (telephone: 07766510546) or (email: jay.crush@nio.gov.uk) can be contacted with any queries regarding the instrument.

Part One: Explanation, and context, of the Instrument

4. Overview of the Instrument

What does the legislation do?

4.1 Explosives precursors are chemical substances that can be used for legitimate purposes in agriculture, horticulture, mining, quarrying, food production, science and education. However, at higher concentrations, they can be misused to manufacture homemade explosives.

4.2 This instrument makes a number of amendments to the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014 (the 2014 NI Regulations) to strengthen the control of explosives precursors in Northern Ireland, bringing in similar measures to those in Great Britain under the Control of Explosives Precursors and Poisons Regulations 2023. The aim of this proposal is to ensure there is a consistent level of protection against the misuse of these substances across the UK.

4.3 The 2014 NI Regulations were introduced so that Northern Ireland complied with Regulation (EU) 98/2013 (the 2013 Regulation) while maintaining the existing explosives precursors controls that have been in place in Northern Ireland since the 1970s. Since these regulations were made, the 2013 Regulation has been repealed and replaced by the Regulation (EU) 2019/1148 (the 2019 Regulation).

4.4 In order to facilitate dual access to both the UK Internal Market and the EU Single Market, Northern Ireland continues to apply the 2019 Regulation under the terms of the Windsor Framework. The 2019 Regulation, and the duties imposed on individuals, businesses and Government, have applied in Northern Ireland since 1 February 2021, but consequential changes to the 2014 NI Regulations are required to ensure the 2019 Regulation is fully implemented.

4.5 Full details of the amendments can be found in the legal changes section below. In summary, this instrument makes the following amendments to the Control of Explosives Precursors etc. Regulations:

- Requiring members of the general public to hold a licence to use hydrochloric acid (above 10% w/w), phosphoric acid (above 30% w/w) and hexamine (at any concentration);
- Requiring businesses supplying these substances to inform their customers about these restrictions and verify the identity and licence of members of the general public purchasing these substances;
- Requiring businesses, along with professional users and licence holders, to report any significant thefts or disappearances of these substances to the police within 24 hours; and
- Classifying sulfur as a reportable substance, meaning businesses and professional users must report any significant thefts or disappearances within 24 hours.

4.6 These obligations already apply in Northern Ireland in respect of the other explosives precursors found in Annex I of the 2019 Regulation, which ensures that the processes and procedures those dealing with explosives precursors in Northern Ireland have already put in place to comply with the 2019 Regulation can be extended to cover the four additional substances controlled by this instrument. These obligations are similar to those in relation to phosphoric acid, hydrochloric acid, and hexamine in Great Britain.

4.7 This instrument also places an obligation on suppliers of Tier 1 and Tier 2 explosives precursors to instruct their personnel of their obligations under the 2014 NI Regulations. This supplements Article 7(2) of the 2019 Regulation, which already applies in Northern Ireland, and places an obligation on suppliers to instruct their personnel of their obligations under the 2019 Regulation. A similar duty applies in Great Britain under the Control of Explosives Precursors and Poisons Regulations 2023.

4.8 Additionally, this instrument places an obligation on members of the general public who hold a Tier 1 licence for a substance to report significant disappearances and thefts of that substance within 24 hours to the police. This amendment supplements the obligation to report significant thefts and disappearances found in Article 9 of the Regulation, which already applies in Northern Ireland, and in effect applies to economic operators and suppliers, (including those with Tier 1 licences), and Tier 2 licence holders.

4.9 This instrument also makes consequential changes to the 2014 NI Regulations as a result of the 2019 Regulation:

- replacing references to the 2013 Regulation with references to the 2019 Regulation, and replacing references to specific articles of the 2013 Regulation with references to the equivalent articles of the 2019 Regulation; thereby allowing licences to be issued for “Tier 2” substances again;
- requiring the Secretary of State to have regard to any criminal convictions of an applicant for an explosives precursor licence, including any criminal convictions within the EEA), as required by Article 6 of the 2019 Regulation;
- amending the labelling requirement in Regulation 15 as a consequence of the mandatory labelling requirement in Article 5 of the 2013 EU Regulation being replaced by the informing the supply chain obligations in Article 7 of the 2019 Regulation, whereby the method used to fulfil the obligation is for the economic operator to determine; and

- expanding the interpretation of the word "using" to include "consuming, keeping, filling into containers, and transferring from one container to another", to align with the definition used in the 2019 Regulation;
- defining a member state as either a member state of the EU or an EEA state, given the 2019 Regulation has been incorporated into the EEA Agreement; and
- amending the requirements for suppliers to check licences when supplying to members of the general public in an EEA State as a result of the 2019 Regulation, and in Great Britain to reflect the differing regulatory arrangements between GB and the EEA following the United Kingdom's withdrawal from the EU.

Where does the legislation extend to, and apply?

4.10 The extent of this instrument (that is, the jurisdiction(s) which the instrument forms part of the law of) is Northern Ireland.

4.11 The territorial application of this instrument (that is, where the instrument produces a practical effect) is Northern Ireland.

5. Policy Context

What is being done and why?

5.1 The purpose of this instrument is to strengthen existing safeguards that are in place to prevent the illicit use of certain explosives precursors in Northern Ireland, in the interests of national security. This is achieved by amending the 2014 NI Regulations to bring in similar measures to those found in Great Britain and ensuring that the 2019 Regulation is fully implemented.

5.2 This instrument therefore makes amendments to the regime governing explosives precursors in Northern Ireland under 2014 NI Regulations.

5.3 There is a similar legal framework in Great Britain which was brought in through the Control of Explosives Precursors and Poisons Regulations 2023 (the 2023 GB Regulations), following a detailed review of the legislation relating to controls of explosives precursors following the Manchester Arena and Parsons Green explosives attacks in 2017. This strengthened the safeguards that are in place to prevent the illicit use of explosives precursors by placing obligations on businesses to record certain information when selling specified explosives precursors to professional users, to ensure that the supply chain is notified about explosives precursors, and to ensure that workers selling specified explosives precursors understand their legal obligations. Similar obligations are found in the 2019 Regulation.

5.4 However, the 2023 GB Regulations went further than the 2019 Regulation by extending these controls to the following substances, as well as requiring members of the public to have a licence above following concentrations:

- hydrochloric acid (above 10% w/w);
- phosphoric acid (above 30% w/w); and
- hexamine (at any concentration).

5.5 The 2023 GB Regulations also went beyond the 2019 Regulation by making sulfur at any concentration subject to a duty to report suspicious transactions and thefts.

5.6 This instrument brings in similar controls to those in GB in Northern Ireland, reducing regulatory divergence between GB and NI, and ensuring there is a consistent level of protection against the misuse of these substances across the UK.

5.7 This instrument also gives full effect to the 2019 Regulation, as required by the Windsor Framework, and makes minor changes to domestic obligations to supplement the obligations in the 2019 Regulation which are already in force in Northern Ireland.

What was the previous policy, how is this different?

5.8 Since the 1970s, existing legislation in Northern Ireland has prohibited the supply of certain substances to any person (whether a business or a member of the public) unless that person has a licence. These restrictions were specific to Northern Ireland and were put in place, and have been maintained, in recognition of the security situation in Northern Ireland.

5.9 As set out above, the 2014 NI Regulations were introduced so that Northern Ireland complied with the 2013 Regulation, while maintaining the specific restrictions in Northern Ireland. This instrument maintained and updated the more restrictive provisions in Northern Ireland and integrated that existing licensing system with the licensing system required in the 2013 Regulation.

5.10 Under the 2014 NI Regulations, explosives precursors licensing in Northern Ireland is split into two tiers.

- Tier 1 licences cover a specific set of explosives precursors, limiting access to both professional users and members of the general public. Controls of this nature have been in place in Northern Ireland since the 1970s. The list of Tier 1 substances can be found in Schedule 1 to the 2014 NI Regulations.
- Tier 2 licences covered those substances which were in Annex I to the 2013 Regulation. The requirement to have a Tier 2 licence applies only to members of the general public, and not to businesses. This instrument amends the definition of a Tier 2 substance to refer to the substances in Annex I of the 2019 Regulation instead of Annex I of the now repealed 2013 Regulation, and as set out in more detail below to also include hydrochloric acid (above 10% w/w), phosphoric acid (above 30% w/w), and hexamine (at any concentration).

5.11 As stated above, since the 2014 NI Regulations were made, the 2013 Regulation has been repealed and replaced by the 2019 Regulation and the 2023 GB Regulations, were made. As a result of these changes, this instrument is necessary to ensure there is a consistent level of protection against the misuse of explosive precursors across the UK, and fully implement the 2019 Regulation as required by the Windsor Framework.

6. Legislative and Legal Context

How has the law changed?

6.1 This instrument makes amendments to the regime governing explosives precursors in Northern Ireland under the 2014 NI Regulations.

<u>Classification of Hydrochloric Acid, Phosphoric Acid, and Hexamine in Tier 2 substances in Northern Ireland:</u>

6.2 As a result of this instrument, members of the public are required to hold a Tier 2 licence to supply, acquire, possess, import, and use hydrochloric acid (above 10% w/w), phosphoric acid (above 30% w/w) and hexamine (at any concentration). These

restrictions mirror the position in Great Britain and go beyond existing controls under the 2019 Regulation.

6.3 The following obligations also apply to those substances above the concentrations specified above, unless stated otherwise:

- a duty on economic operators to inform other economic operators to whom they provide hydrochloric acid, phosphoric acid or hexamine that the explosives precursor is subject to restrictions, and reporting obligations (applying Article 7(1) of the 2019 Regulation). This duty already extends to hexamine in respect of notification about reporting obligations, by virtue of its inclusion in Annex II of the 2019 Regulation.
- a duty on economic operators when providing hydrochloric acid and phosphoric acid to professional users or members of the general public, to ensure that its personnel are aware of which products contain the explosives precursor and are instructed on their obligations. Online marketplaces must ensure those making these explosives precursors available are informed of their obligations (applying Article 7 (2) and (3) of the 2019 Regulation). This duty applies at any concentration except homogeneous mixtures of more than five ingredients in which the concentration of hydrochloric acid or phosphoric acid is below 1 % w/w. This duty already extends to hexamine, by virtue of its inclusion in Annex II of the 2019 Regulation;
- a duty on economic operators to request, each time they supply hydrochloric acid, phosphoric acid or hexamine to a member of the public, proof of the individual's identity and licence. Economic operators must also request, each time they supply hydrochloric acid, phosphoric acid or hexamine to a professional user or another economic operator, information on the prospective customer and the intended use of the precursor. This information must be retained for 18 months. Online marketplaces must help ensure its users who make available these explosives precursors comply with these obligations (applying Article 8 of the 2019 Regulation);
- a duty on economic operators and professional users to report significant disappearances and thefts of hydrochloric acid or phosphoric acid within 24 hours to the police, and a duty on economic operators and online marketplaces to have procedures in place to detect, and to report, suspicious transactions of hydrochloric acid and phosphoric acid (applying Article 9(1) to (5) of the 2019 Regulation). These duties apply at any concentration except homogeneous mixtures of more than 5 ingredients in which the concentration of hydrochloric acid or phosphoric acid is below 1 % w/w. These duties already extend to hexamine by virtue of its inclusion in Annex II of the 2019 Regulation;
- a duty on members of the general public who hold a Tier 2 licence for hexamine, hydrochloric acid or phosphoric acid to report significant disappearances and thefts of that substance within 24 hours to the police (applying Article 9 (6) of the 2019 Regulation).

Addition of Sulfur to the List of Reportable Substances

6.4 The instrument makes sulfur a reportable substance, mirroring the position in Great Britain. As a result, the following obligations apply in respect of sulfur at any concentration, except for homogeneous mixtures of more than five ingredients in which its concentration is below 1 % w/w:

- a duty on economic operators to inform other economic operators to whom they provide sulfur that the explosives precursor is subject to reporting obligations (applying Article 7 (1) (second sentence) of the 2019 Regulation);
- a duty on economic operators when providing sulfur to professional users or members of the general public, to ensure that its personnel are aware of which products contain sulfur, and are instructed on their legal obligations. Online marketplaces must also ensure those making sulfur available are informed of their obligations (applying Article 7 (2) and (3) of the 2019 Regulation);
- a duty on economic operators and professional users to report significant disappearances and thefts of sulfur within 24 hours to the police, and a duty on economic operators and online marketplaces to have procedures in place to detect, and to report, suspicious transactions of sulfur (applying Article 9(1) to (5) of the 2019 Regulation).

6.5 These obligations already apply in Northern Ireland in respect of the explosives precursors found in Annexes I or II (as the case may be) of the 2019 Regulation, and are similar to those found in GB.

Supplying and Reporting Obligations

6.6 The instrument requires suppliers of both Tier 1 and Tier 2 substances to instruct their employees on their legal obligations under the 2014 NI Regulations. This supplements Article 7(2) of the 2019 Regulation, which already applies in Northern Ireland and places an obligation on suppliers of substances found in Annex I or Annex II of the 2019 Regulation to instruct their personnel of their obligations under the 2019 Regulation.

6.7 This is similar to the duty on suppliers to ensure that their workers are provided with relevant information about the requirements that apply in relation to certain explosives precursors, which applies in Great Britain under the Control of Explosives Precursors and Poisons Regulations 2023.

6.8 The instrument requires a member of the general public who holds a Tier 1 licence to report significant disappearances and thefts of that substance within 24 hours to the police. This supplements the obligation to report significant thefts and disappearances found in Article 9 of the 2019 Regulation, which already applies in Northern Ireland and applies to economic operators and suppliers (including those with Tier 1 licences), and Tier 2 licence holders.

Consequential changes to the 2014 NI Regulations as a result of the 2019 Regulation

6.9 While the 2019 Regulation, and the duties imposed on individuals, businesses and Government, have applied in Northern Ireland since 1 February 2021, consequential changes to the 2014 NI Regulations are required to ensure the 2019 Regulation is fully implemented:

- replacing references to the 2013 Regulation with references to the 2019 Regulation, and replacing references to specific articles of the 2013 Regulation with references to the equivalent articles of the 2019 Regulation. This means that the definition of a Tier 2 substance is amended to refer to the substances in Annex I of the 2019 Regulation, rather than the 2013 Regulation, and allows Tier 2 licences to be issued again.
- explicitly stating that the Secretary of State cannot issue a Tier 1 licence to a member of the general public to deal with ammonium nitrate and sodium chlorate at concentration higher than the corresponding limit value in Annex I of the 2019

Regulation, or to anyone to supply these substances to a member of the general public. This prohibition in relation to members of the general public has applied in Northern Ireland since 1 February 2021 through the 2019 Regulation.

- amending the labelling requirement in Regulation 15 to reflect that Article 7 of the 2019 Regulation imposes a broader requirement in respect of informing the supply chain whereby using a label is no longer mandatory. If a label is used to comply with Article 7, then it must state that the acquisition, possession or use of the substance by the general public is restricted
- requiring the Secretary of State to have regard to any criminal convictions of an applicant for an explosives precursor licence, including any criminal convictions within the EEA;
- expanding the interpretation of the word "using" to include "consuming, keeping, filling into containers, and transferring from one container to another", to align with the definition used in the 2019 Regulation.
- amending regulation 12 to reflect that no licensing for members of the general public for sodium chlorate or ammonium nitrate is permitted within the EEA as a result of the 2019 Regulations, but such licensing is permitted with GB.
- amending regulation 13 to reflect the fact that hydrochloric acid, restricted phosphoric acid or hexamine are not restricted explosives precursors in the EEA, and that nitromethane is subject to licensing at a higher concentration in GB.
- replacing the definition of "relevant Great Britain legislation" which is obsolete following the United Kingdom leaving the EU, with a reference to section 4A of the Poisons Act 1972.

6.10 Finally, this instrument corrects a minor error in Regulation 13, by replacing "tier 1" with "tier 2". There is no requirement under the Handbook on Subordinate Legislation (the equivalent of Statutory Instrument Practice for Northern Ireland statutory rules) to provide copies of this instrument free of charge to recipients of the 2014 NI Regulations. The Statutory Publications Office have been consulted.

Why was this approach taken to change the law?

6.11 This instrument is made under powers in the Health and Safety at Work (Northern Ireland) Order 1978 which, by virtue of paragraph 4(1)(b) of Schedule 12 of the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010, remain exercisable by the Secretary of State for purposes connected with any reserved matter falling within paragraph 12 or 20 of Schedule 3 to the Northern Ireland Act 1998 (firearms and explosives, and import and export controls).

6.12 These powers were exercised to make the 2014 NI Regulations, which this instrument amends.

6.13 This instrument makes amendments to the 2014 NI Regulations to strengthen the control of explosives precursors in Northern Ireland, bringing in similar measures to those in Great Britain under the Control of Explosives Precursors and Poisons Regulations 2023. The aim of this proposal is to ensure there is a consistent level of protection against the misuse of these substances across the UK.

6.14 This is achieved applying the relevant provisions of 2019 Regulation to these substances. This ensures that the processes and procedures those dealing with explosives precursors in Northern Ireland have already put in place to comply with the 2019 Regulation can be extended to cover the four additional substances controlled by

this instrument, making compliance and enforcement simpler. These specific obligations of the 2019 Regulation are akin to those applying to these substances in Great Britain.

7. Consultation

Summary of consultation outcome and methodology

7.1 In accordance with article 46(1) of the Health and Safety at Work (Northern Ireland) Order 1978, the Northern Ireland Office has consulted with the Health and Safety Executive for Northern Ireland, and such other bodies as appear to the Secretary of State to be appropriate.

7.2 On 27 May 2025, the Northern Ireland Office launched a consultation asking, "Do you have any views on the proposed amendments to the Control of Explosives Precursors etc. Regulations (Northern Ireland) 2014?" The consultation closed on 19 August 2025.

7.3 As well as publishing on GOV.UK, links to the consultation were sent directly to a selection of over 200 relevant stakeholders, including the Police Service of Northern Ireland, the Health and Safety Executive for Northern Ireland, Northern Ireland Department for Justice, political parties, current licence holders, and industry bodies, in order to encourage responses. A link to the consultation was also shared on the Northern Ireland Office's X and LinkedIn accounts.

7.4 Of the nine responses received, seven supported/accepted the proposals, none objected, and two neither clearly supported nor objected to the proposals.

7.5 Those supporting the proposals mainly justified their support with reasons such as:

- The importance of ensuring a consistent level of protection against the misuse of explosives precursors across the UK;
- The benefits to businesses in reducing regulatory divergence between Great Britain and Northern Ireland;
- The proposals have a negligible cost on businesses using explosives precursors as they already operate under strict controls; and
- The proposals provide legal clarity by reflecting the revised 2019 Regulation, which has applied in Northern Ireland since 1 February 2021.

7.6 There were two responses that the Northern Ireland Office assessed as neither clearly supporting nor objecting to the proposed amendments. This was either because no comment was offered, or the proposals were not considered to have an impact on the respondent.

7.7 The Government's response to the consultation response was published on 10 November 2025, and can be found at this link: https://www.gov.uk/government/news/consultation-response-on-explosives-precursors-controls-in-northern-ireland

8. Applicable Guidance

8.1 To prepare for commencement of this instrument on 08 June 2026, the Northern Ireland Office has published prospective guidance on the marketing and use of explosives precursors in Northern Ireland, incorporating the changes to be made by this Regulation. This can be found at this link: www.gov.uk/guidance/control-of-explosives-precursors-in-northern-ireland

Part Two: Impact and the Better Regulation Framework

9. Impact Assessment

9.1 A full Impact Assessment has not been prepared for this instrument because of the low level of impact per business.

Impact on businesses, charities and voluntary bodies

9.2 There is no, or no significant, impact on business, charities or voluntary bodies because the 2019 Regulation has had effect in Northern Ireland since 1 February 2021. Therefore, businesses and individuals in Northern Ireland are already under the obligations in the 2019 Regulation, which are similar to those in Great Britain.

9.3 The new restrictions on the supply, possession, import and use of hydrochloric acid (above 10%), phosphoric acid (above 30%), and hexamine (at any concentration) and licensing requirements only apply to members of the general public, and not professional users. These restrictions already apply in Great Britain, which have had the effect of limiting availability of these substances in Northern Ireland.

9.4 The amendments put businesses under obligations regarding informing the supply chain, reporting suspicious transactions and thefts and verification upon sale in relation to these substances. These obligations already apply in Northern Ireland in respect of the substances in Annex I of the 2019 Regulation. Therefore, the processes and procedures already put in place in NI to comply with the 2019 Regulation can be extended to cover these additional substances, making compliance and enforcement simpler. For example, a consultation response from a school indicated no significant change as a result of the proposals, as their current practices for purchasing explosives precursors already align with the proposed verification requirements.

9.5 The amendments also put businesses under obligations regarding informing the supply chain and reporting suspicious transactions and theft in relation to sulfur. These obligations already apply in Northern Ireland in respect of the explosives precursors found in Annexes I and II of the 2019 Regulation and are similar to the obligations in relation to sulfur in Great Britain.

9.6 Furthermore, the fact these obligations are similar to those in place in Great Britain benefit businesses by reducing regulatory divergence between Great Britain and Northern Ireland, which was highlighted by consultation responses. For instance, the cosmetics industry expected a minimal impact on their sector due to the impact of existing controls in Great Britain.

9.7 The legislation does impact small or micro businesses. Small and micro-businesses may be affected by the changes, but as noted above, this impact is negligible as the 2019 Regulation has applied in Northern Ireland since February 2021. Furthermore, most affected businesses have to comply with the current requirements in the 2014 NI Regulations because of their stocks of other scheduled substances. No specific concerns in relation to small and micro businesses were raised in the responses to the public consultation.

9.8 As a policy designed to protect the public from explosive attacks, it would not be effective if small and micro-businesses were exempt. As noted above, to prepare for commencement of this instrument on 08 June 2026, the Northern Ireland Office has published prospective guidance on the marketing and use of explosives precursors in Northern Ireland, incorporating the changes to be made by this Regulation.

9.9 There is no, or no significant, impact on the public sector. While schools in Northern Ireland are currently required to hold a Tier 1 licence for certain explosives precursors which are used for teaching purposes, as stated above, no changes have been made by this requirement to this instrument.

10. Monitoring and review

What is the approach to monitoring and reviewing this legislation?

10.1 The approach to monitoring of this legislation is to review the effectiveness of the measures in the course of normal departmental business, and at least every five years in accordance with Regulation 25 of the 2014 NI Regulations (as amended). The Northern Ireland Office published a review of the 2014 NI Regulations on 13 May 2026, which can be found here: www.gov.uk/government/publications/review-of-the-control-of-explosives-precursors-etc-regulations-northern-ireland-2014

10.2 The instrument does not include a statutory review clause.

Part Three: Statements and Matters of Particular Interest to Parliament

11. Matters of special interest to Parliament

11.1 These Regulations are made by statutory rule in accordance with paragraph 4(3) of Schedule 12 to the Northern Ireland Act 1998 (Devolution of Policing and Justice Functions) Order 2010. Paragraph 4(4) of that Schedule applies the negative resolution procedure.

12. European Convention on Human Rights

12.1 As the instrument is subject to negative procedure and does not amend primary legislation, no statement is required.

13. The Relevant European Union Acts

13.1 This instrument is not made under the European Union (Withdrawal) Act 2018, the European Union (Future Relationship) Act 2020 or the Retained EU Law (Revocation and Reform) Act 2023 ("relevant European Union Acts").

13.2 It does however relate to the withdrawal of the United Kingdom from the European Union because in order to facilitate dual access to both the UK Internal Market and the EU Single Market, Northern Ireland continues to apply the Regulation (EU) 2019/1148 (the 2019 Regulation) on the marketing and use of explosives precursors under the terms of the Windsor Framework. The 2019 Regulation, and the duties imposed on individuals, businesses and Government, have applied in Northern Ireland since 1 February 2021, but consequential changes to the 2014 NI Regulations are required to ensure the 2019 Regulation is fully implemented.

13.3 Article 14 of the 2019 Regulation contains a safeguard clause which allows restrictions to be introduced for substances not listed in Annex I or II if there are reasonable grounds for believing that said substance could be used for the illicit manufacture of explosives.