



Home Office

Due diligence checks

Advice for explosives precursors licence applicants

We will always carry out due diligence checks on anyone who applies for a licence. This will include a criminal record check and checks against information held by relevant partners. We need to be satisfied that you do not pose a risk to yourself or the public.

If you have a criminal record or a recent history of mental health issues, it does not necessarily mean that you will not get a licence.

However, if you do have any convictions, warnings, cautions, community resolutions, absolute/conditional discharges, admonishments or charges awaiting trial, we will make our decision according to:

- Whether the offence or offences are included in the list of relevant offences below
- If not listed as a relevant offence, whether the commission of the offence presented a risk to the safety of the applicant or the safety of the public.
- The actual sentence or disposal given to you for the offence; and
- How recent the offence was.

Whilst this list is designed to be largely exhaustive, grounds to refuse a licence may derive from any offence where the commission of that offence created a risk to the safety of the applicant or the safety of the public.

RELEVANT OFFENCES

Murder

Manslaughter

Kidnapping

False imprisonment

Any offence under the Aviation Security Act 1982

Any offence under the Anti-Terror, Crime and Security Act 2001

Any offence under Prevention of Terrorism Act 2005

Any offence under Terrorism Act 2000

Any offence under the Terrorism Act 2006

Any offence under the Offences Against the Person Act 1861

Any offence under the Explosive Substances Act 1883

Any offence under the Chemical Weapons Act 1996

Any Offence under the Biological Weapons Act 1974

The following offence under the Sexual Offences Act 2003

An offence under Section 1 [Rape]

The following offences under the Firearms Act 1968

An offence under section 16 (possession of firearm with intent to endanger life)

An offence under section 16A (possession of firearm with intent to cause fear of violence)

An offence under section 17(1) (use of firearm to resist arrest)

An offence under section 17(2) (possession of firearm at time of committing or being arrested for offence specified in Schedule 1 to that Act)

An offence under section 18 (carrying a firearm with criminal intent)

The following offences under the Theft Act

An offence under section 8 of the Theft Act 1968 (s 8) (robbery or assault with intent to rob)

An offence under section 9 of that Act of burglary with intent to--

- (a) inflict grievous bodily harm on a person, or
- (b) do unlawful damage to a building or anything in it

An offence under section 10 of that Act (aggravated burglary)

An offence under section 12A of that Act (aggravated vehicle-taking) involving an accident which caused the death of any person

The following offences under the Public Order Act 1986

An offence under section 1 of the Act (riot)

An offence under section 2 of that Act (violent disorder)

An offence under section 3 of that Act (affray)

The following offence under the Police Act 1996

An offence under section 89 [Assault on a Constable]

The following offences under the Aviation and Maritime Security Act 1990

An offence under section 1 of the Aviation and Maritime Security Act 1990 (s 1) (endangering safety at aerodromes)

An offence under section 9 of that Act (hijacking of ships)

An offence under section 10 of that Act (seizing or exercising control of fixed platforms)

An offence under section 11 of that Act (destroying fixed platforms or endangering their safety)

An offence under section 12 of that Act (other acts endangering or likely to endanger safe navigation)

An offence under section 13 of that Act (offences involving threats)

The following offences under Criminal Damage Act 1971

An offence under section 1 (Arson)

An offence under section 1(2) of that Act (destroying or damaging property) other than an offence of arson

The following offence under Criminal Law Act 1977

An offence under Section 51[Bomb Hoax]

The following offence under the Prevention of Crime Act

An offence under section 1 [possession of an offensive weapon]

The following offence under Criminal Justice Act 1988

An offence under section 139 [Having an article with a blade or point in a public place]

The following offence under the Criminal Law Act 1977

An offence under section 8 [trespassing with a weapon of offence]

The following offences which under Criminal Justice Act - Schedule 15 – part 1

An offence under section 1 of the Infant Life (Preservation) Act 1929 (c 34) (child destruction)

An offence under section 1 of the Children and Young Persons Act 1933 (c 12) (cruelty to children)

An offence under section 1 of the Infanticide Act 1938 (c 36) (infanticide)

An offence under section 1 of the Taking of Hostages Act 1982 (c 28) (hostage-taking)

An offence under section 127 of the Mental Health Act 1983 (c 20) (ill-treatment of patients)

An offence under section 1 of the Prohibition of Female Circumcision Act 1985 (c 38) (prohibition of female circumcision)

An offence under section 134 of the Criminal Justice Act 1988 (c 33) (torture)

An offence under section 1 of the Road Traffic Act 1988 (c 52) (causing death by dangerous driving)

An offence under section 3A of that Act (causing death by careless driving when under influence of drink or drugs)

An offence under Part II of the Channel Tunnel (Security) Order 1994 (SI 1994/570) (offences relating to Channel Tunnel trains and the tunnel system)

An offence under section 4 [or 4A] of the Protection from Harassment Act 1997 (c 40) (putting people in fear of violence [and stalking involving fear of violence or serious alarm or distress])

An offence under section 29 of the Crime and Disorder Act 1998 (c 37) (racially or religiously aggravated assaults)

An offence falling within section 31(1)(a) or (b) of that Act (racially or religiously aggravated offences under section 4 or 4A of the Public Order Act 1986 (c 64))

An offence under section 51 or 52 of the International Criminal Court Act 2001 (c 17) (genocide, crimes against humanity, war crimes and related offences), other than one involving murder

An offence under section 1 of the Female Genital Mutilation Act 2003 (c 31) (female genital mutilation)

An offence under section 2 of that Act (assisting a girl to mutilate her own genitalia)

An offence under section 3 of that Act (assisting a non-UK person to mutilate overseas a girl's genitalia)

An offence under section 5 of the Domestic Violence, Crime and Victims Act 2004 (causing or allowing [a child or vulnerable adult to die or suffer serious physical harm])

An offence of--

- (a) aiding, abetting, counselling, procuring or inciting the commission of a relevant offence,
- (b) conspiring to commit a relevant offence, or
- (c) attempting to commit a relevant offence

Equivalent offences under Scottish, Northern Irish or Service law, or committed within a foreign jurisdiction, would also be considered a relevant offence.

Notification of decision

If your application is successful, you will be sent a letter informing you of this fact. Your licence will be posted separately.

If your application is unsuccessful due to:

- Incomplete information;
- An abuse of process, for example, you have provided false information;
- The licensing team being of the opinion that another substance or lower concentration of the regulated substance is more appropriate for your intended use;
- Previous criminal offences; or
- Mental health issues that could lead to a danger to yourself or the public

we will inform you of this and give a reason.

There will be some occasions where, due to sensitivities around the information held by the police or relevant partners, a full reason or, on rare occasions, any reason will not be provided.