



Home Office

Frequently Asked Questions

The Poison Act 1972 and the Control of Poisons and Explosives Precursors Regulations 2023

Advice for members of the general public

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Applying

What supporting documents do I need for the application form?

You will need to upload the following supporting documents that have been certified by your counter-signatory along with your application form:

- 1) Valid photo ID – UK passport, EEA passport, UK photo driving licence, UK biometric residence permit.
- 2) One document from list A and one from list B (dated within the last 3 months) as proof of address:

List A

- Mortgage statement
- Bank statement
- Building society statement

List B

- Credit card statement
 - Rental agreement (current)
 - Gas or electric bill
 - Water bill
 - Cable or satellite bill
 - Tax bill
 - Mobile phone bill
 - Telecoms bill
- 3) If you are not a UK National, you will need to upload a Certificate of Good Conduct issued by the relevant authority from your native country
 - 4) If you have declared a mental health problem you will need a doctor's (GP or equivalent) health report. A template for completion if needed is accessible via the licence application form.

What is a Certificate of Good Conduct?

Only **non-UK citizens** need to provide a Certificate of Good Conduct. A Certificate of Good Conduct can be issued from a Government or Police Authority from your native country. It will provide details of any criminal history.

I am over 18 years old - Who can certify my documents?

Your counter-signatory (the person who certifies your documents) must meet the following four criteria:

- 1) Hold a valid EEA passport. You will need to provide their passport number.
- 2) Is 18 years or over.
- 3) They must have known you for at least 2 years.
- 4) They **must not** be living with you, related to you or your spouse.

I am under 18 years old - Who can certify my documents?

If you are under 18 years old your counter-signatory (the person who certifies your documents) must be your parent or legal guardian. You will need to upload a birth certificate or a legal document as proof of the parental guardianship. Your parent or legal guardian can provide proof

of their address but they will need to ask a counter-signatory that meets the criteria for those over 18 years old to certify their documents.

I do not have a counter-signatory that meets the four criteria – Can I get a licence?

No, you cannot apply for a licence without an appropriate counter-signatory.

I do not reside in the UK – Can I still apply?

You can apply to import, acquire, use or possess regulated substances while visiting the UK. You must provide at least one UK address for storage and use. You may also be asked to provide further information on request. If you remove regulated substances from the UK you will need to comply with the relevant rules of the country you then introduce the chemicals to.

What can I provide as proof of address?

One document from list A and one from list B (dated within the last 3 months) as proof of address.:

List A

- Mortgage statement
- Bank statement
- Building society statement

List B

- Credit card statement
- Rental agreement (current)
- Gas or electric bill
- Water bill
- Cable or satellite bill
- Tax bill
- Mobile phone bill
- Telecoms bill

Both documents will need to be counter-signed.

I do not have any photo ID – Can I get a licence?

No. You must provide a certified copy of one of the following photographic identity documents: UK or EEA passport, UK photo driving licence or UK biometric residence permit.

Your licence will expire at the same time as your photographic identity document if it is within three years from when your licence is granted. Therefore, if you have a choice, you should use a photographic identity document that expires more than three years from the time of application.

I have not registered with a doctor (GP or equivalent) – Can I get a licence?

No. You will need to be registered with a doctor (GP or equivalent). You will also need to provide your consent for us to contact your doctor.

I do not have a debit/ credit card – How else can I pay for the application to be processed?

The only method of payment is via debit/ credit card. You can use a credit/ debit card that is not yours if you have received permission to use it.

How much does it cost for a licence?

There is a fee to process your application form. The fees are laid out in the Control of Poisons and Explosives Precursors Regulations 2015 and any changes to them must first be subject to Parliamentary scrutiny and will be laid out in amending legislation.

Can anyone apply for an EPP licence?

Anyone wishing to apply for a licence must demonstrate the need to acquire, possess or use regulated substances and meet the eligibility criteria.

Do I need to declare previous convictions?

Yes. All convictions (even spent ones under the Rehabilitation of Offenders Act) must be declared. However, not all offences will be considered relevant.

Do I need to prove why I need to use regulated chemicals?

The Home Office licensing unit will pay particular regard to the intended use of the substances when reaching their decision on whether to grant a licence. Conditions may be placed on the maximum concentration, quantity of substance or storage arrangements.

Eligibility

I am not a UK National – Can I still apply for a licence?

You will need to provide evidence that you can legally reside in the UK and you will need a Certificate of Good Conduct from your native country. These documents will need to be uploaded as part of the application process.

I have a criminal conviction – Can I get a licence?

We will review the information you provide before making an assessment on your suitability to hold a licence. We need to be satisfied that you are not a danger to yourself or public safety.

I am under 18 years – Can I get a licence?

Licences will only be granted in exceptional circumstances to applicants under 18 years old. Further conditions may be placed on the licence meaning you may need to use the regulated substances under the supervision of an adult or legal guardian.

I have suffered from mental health problems – Does this mean I cannot get a licence?

No. We will review the information you provide before making an assessment on your suitability to hold a licence. We need to be satisfied that you are not a danger to yourself or to public safety.

Processing

How long will it take for my application to be processed?

We aim to respond with our decision within 28 days of receipt of your completed application form with all necessary and correctly certified supporting documents.

What suitability checks will you carry out?

The licensing team will consider your criminal record and any mental health issues that could pose a risk to yourself or the public. The team will also consider the legitimacy of the intended use of the chemicals. More information is provided in our due diligence checks document.

Why does Worldpay appear on my bank statement and not Home Office?

The licence processing fee payment is processed by Worldpay on behalf of the Home Office.

Licences

How do I use the licence to purchase regulated chemicals?

You will need to present your licence to the supplier with the same photo ID you provided details of in the application form. You will need to allow the supplier to record the details of the transaction on the licence.

How long is the licence valid for?

Licences are valid for a maximum of 3 years or until the expiry date of your identity document. If your identity document expires you will need to renew your licence with a new form of identity.

If my identity document expires within 3 years of my application do I get a part refund of the licence fee?

No. The licence fee pays for the processing of the licence application and, therefore, costs the same no matter how long the licence validity period is.

Law

What are the basic principles of the Poisons Act 1972 and the Control of Poisons and Explosives Precursors Regulations 2023 in the UK?

Products containing high concentrations of certain chemicals are now restricted from sale to the general public. If a member of the general public wants to buy any of the regulated substances, they need to apply to the Home Office for a licence to acquire, possess, import and use these substances. The regulation reduces the risks associated with allowing sales of chemicals that can be used to cause harm while still allowing those with a legitimate need for the chemicals to continue their activities.

On 26 March 2015, the Poisons Act 1972 was amended via the Deregulation Act 2015 and the Control of Poisons and Explosives Precursors Regulations 2015 were introduced to create a cohesive regime to control sales of explosives precursors and poisons. On 3 April 2018, The Poisons Act 1972 (Explosives Precursors) (Amendment) Regulations 2018 added new substances. From 1 October 2023, new substances will be regulated under the the Control of Explosives Precursors and Poisons Regulations 2023. For guidance on supplying regulated substances, please see <https://www.gov.uk/government/publications/supplying-explosives-precursors/supplying-explosives-precursors-and-poison>.

From 1 October 2023 businesses supplying regulated explosives precursors to professional users and other businesses (i.e., those who don't need a licence) will need to take additional steps to verify the legitimacy of the professional user or business.

The person making the sale must obtain the following from the business customer:

- the business customer's name and address. If the business customer is not an individual, the name of an individual who is authorised on behalf of the business customer should be recorded;
- a form of photographic identification of the business customer or, if the business customer is not an individual, of the individual making the purchase;
- a statement of the nature of the business customer's trade, business or profession, or of the public function that the business customer performs; and
- the business customer's VAT registration number, if the business customer has such a number.

This information must be recorded and retained for 18 months and available for inspection. From 1 October 2023 - Any suspicious transactions of regulated substances and reportable substances must be reported within 24 hours of considering a transaction to be suspicious.

From 1 October 2023 it will be a legal requirement for retailers to provide all information that they hold which may be of reasonable assistance in identifying the individual involved in a suspicious transaction when submitting the suspicious activity report (e.g name, email address, home address, payment card details).

Which substances are licensed?

If the substance is present in a concentration above the threshold below, a licence is required for the acquisition, importation, possession and use:

Explosives Precursors:

Substance	Concentration threshold (w/w)
Ammonium nitrate	>16% N
Hexamine	-
Hydrochloric acid	>10%
Hydrogen peroxide	>12%
Nitric acid	>3%
Nitromethane	>30% (>25% vol)
Phosphoric acid	>30%
Sodium chlorate	>40%
Potassium chlorate	>40%
Sodium perchlorate	>40%
Potassium perchlorate	>40%
Sulfuric acid	>15%

Poisons:

Substance	Concentration threshold (w/w)
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Aluminium phosphide	-
Aluminium sulfide	-
Sodium sulfide	-
Calcium sulfide	-
Magnesium sulfide	-
Arsenic and its compounds	-
Barium salts (other than barium sulphate, barium carbonate and barium silicofluoride)	-
Bromomethane	-
Chloropicrin	-
Fluoroacetic acid, its salts and fluoroacetamide	-
Hydrogen cyanide and metal cyanides (other than ferrocyanides and ferricyanides)	-
Lead acetates and compounds of lead with acids from fixed oils	-
Magnesium phosphide	-

Mercury and its compounds	-
Oxalic acid	10% w/w
Phenols (phenol; phenolic isomers of the following: cresols, xylenols, monoethylphenols)	60% w/w of phenols or, for compounds of phenols with a metal, the equivalent of 60% w/w of phenols
Phosphorus yellow	-
Strychnine and its salts and its quaternary compounds	-
Thallium and its salts	-
Zinc phosphide	-
Calcium phosphide	-
2,4-dinitrophenol and compounds including sodium dinitrophenolate	-

Do I need a licence for conducting my business?

No. Business to business transactions are outside of licensing requirements. However, you may be asked to show evidence of your business, trade or profession and to explain your intended use of the chemicals.

I am a paid member of a club that uses regulated substances – Do I need a licence?

Any member of the general public who is not using the regulated chemicals as part of their trade, business or profession will need to have a licence to acquire, import possess and use the regulated chemicals.

Who authorises poisons and explosives precursors licences?

The Home Office is the licensing authority.

Do I need a licence for every regulated substance I wish to acquire, use or possess?

A licence may cover more than one regulated substance. Each substance you wish to acquire, possess or use must be listed on your licence.

Decisions

How does the Home Office (licensing authority) assess whether a person is fit to acquire, possess or use regulated substances?

The licensing team will consider your criminal record, and other information held by the police and relevant partners and any mental health issues that could pose a risk to yourself or the public. They will also consider the suitability of your stated intended use of the substances. More information is available in our due diligence guidance.

Are there any conditions placed on a licence?

Yes. Conditions may be placed on the maximum concentration, quantity of substance or storage arrangements.

How will I be notified of the decision?

If your application is successful, you will receive an email telling you and your licence will be posted separately.

In the overwhelming majority of cases, if your application is unsuccessful and it is because of one of the following reasons:

- The information you provided is incomplete;
- There has been an abuse of process, for example, you have provided false information;
- The licensing team are of the opinion that another substance or lower concentration of the regulated substance is more appropriate for your intended use;
- You have been convicted of an offence that presented a risk to your own safety or the safety of the public; or
- You have a recent history of mental issues that presented a risk to your own safety or the safety of the public

you will be informed of the decision by post and told the reason behind it.

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

How do I appeal the decision?

You will need to write to the Home Office with 28 days of your notification.

Why do you need to contact my doctor and let them know I have a licence?

We need to be satisfied that you are a fit and suitable person.

Licence Holders

What changes do I need to notify the Home Office of?

If you hold a licence you will need to notify the Home Office with any of the following changes:

- 1) Your name
- 2) Your address (including storage address and usage address/ location)
- 3) If you want to acquire, possess or use any additional regulated substances (type, quantity, concentration and intended use)
- 4) Any new criminal convictions and cautions
- 5) Any onset, reoccurrence or deterioration of any mental health problems

How do I request a change to my licence?

You will need to go online to gov.uk and go through the process to request an amendment. You will need to return your current licence before an amended one can be issued.

I do not want to have a licence anymore – Can I get a refund?

No. The fee you paid was for processing the application form.

I am a non-UK resident. Can I cancel my licence to avoid regular submissions of Certificates of Good Conduct?

Yes. Please post the licence back to the Home Office stating clearly that you wish to cancel your licence.

What happens to regulated substances in the event of the death of the owner?

If you inherit regulated substances, you should arrange disposal as soon as is reasonably practicable.

What should I do if I have concerns about a licence holder?

If you have concerns that an explosives precursors and poisons licence holder poses a risk to themselves or to the public, you should call the national contact point on 0800 789321.

Can another person purchase regulated substances on my behalf?

As you would be acquiring the regulated chemicals from the third party, both of you would require an explosives precursors and poisons licence.

What should I do if I lose or damage my licence?

You will need to go online to gov.uk and go through the process to report a lost, stolen or damaged licence.

Can I use my licence to purchase regulated substances abroad?

You may be able to purchase regulated substances abroad if that country recognises your licence. You will need to check if this is the case. The Home Office will publish a list of any recognised licences on the gov.uk website.

Can I use regulated substances without a licence?

It is an offence for members of the public to possess (have under control or in custody) and to use regulated substances without a licence.

Other

What is meant by the term regulated substance?

Regulated substances (poisons and explosives precursors) are chemicals that may be used to cause harm. They may also have legitimate everyday uses in the home or in hobby activities. The relevant chemicals are listed in Schedule 1A to the Poisons Act 1972.

I have unexpectedly come into possession of regulated substances – What should I do?

If you discover regulated substances on your property that you were previously unaware of, you should arrange disposal as soon as is reasonably practicable.

