
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 392

Explosives (Fireworks) Regulations (Northern Ireland) 1999

Part II

Prohibition on the possession, purchase, sale or use of fireworks

4.—(1) Subject to regulation 9, the possession, purchase or use of fireworks by a person other than a Government Inspector, Constable or representative of an enforcing authority acting in his capacity as such shall be prohibited except under licence issued by the Secretary of State.

(2) Subject to these Regulations the possession, purchase, sale or use of any firework of erratic flight or any mini-rocket or banger or air bomb in category 2 is prohibited.

(3) Subject to these Regulations the use of any firework outdoors after 11.00 pm and before 7.00 am is prohibited except under licence, other than on the 31st December 1999 or the 1st January 2000.

Exceptions for special effects purposes

5. Regulation 4(2) shall not prohibit the possession, purchase, sale, acquisition or handling of any firework of erratic flight or any mini-rocket or banger or air bomb in category 2 or assembly of them by or to any person for use, in the course of a trade or business of his, for special effects purposes in the theatre, on film or on television.

Licence for the possession, purchase or use of fireworks

6.—(1) An application for a licence under regulation 4(1) shall be made in writing to the Secretary of State and shall be accompanied by such information and in such form and be made in such time as the Secretary of State may require.

(2) A licence under regulation 4(1) shall be in such form and subject to such conditions bearing on health and safety as the Secretary of State may require.

(3) Without prejudice to the generality of paragraph (2), the conditions imposed under that paragraph may include conditions as to the persons who are present, on behalf of the applicant, when the fireworks are fired.

(4) The Secretary of State shall not issue a licence under regulation 4(1) unless she is satisfied that to do so would not put at risk the health and safety of any person.

Production of licence

7.—(1) The purchaser of fireworks acting under a licence issued under regulation 4(1) shall produce his licence to the seller at the time of purchase and the seller, where such licence is not so produced, shall be prohibited from selling such fireworks.

(2) The seller of fireworks subject to licence shall keep a permanent record of all sales of such fireworks. He shall record the name and address of every person to whom he sells such fireworks

together with the date of each such sale and particulars of the quantity and type of the fireworks sold and the licence number.

(3) The record shall be retained for at least two years.

(4) The record shall on demand be immediately produced for inspection by a Government Inspector, Constable or representative of an enforcing authority on production of his warrant.

Sale in original package and additional labelling requirements

8.—(1) The sale or purchase of fireworks referred to in Schedule 1, other than in prepacked quantities of 10 or more in selection packs and 5 or more in primary packs in their original package, is prohibited.

(2) A person who carries on a retail business involving to whatever extent the sale of fireworks or assemblies, shall not sell nor transfer to any person, including persons within his employ, any firework which he has removed, caused to be removed or knows to have been removed from a primary pack or a selection pack containing fireworks referred to in Schedule 1.

(3) Where fireworks and assemblies in category 4 are sold or transferred in accordance with regulation 4(1) the packaging must be marked with the words—

“This device must not be sold to, or used by a member of the general public”.

(4) A person shall not sell or transfer any sparkler unless the packet in which it is contained is marked with the words “Warning: not to be given to children under 5 years of age”.

(5) A person shall not sell or transfer any firework which is not labelled in English.

Fireworks exempt from prohibition

9. Regulation 4(1) shall not apply to—

- (a) the fireworks in Schedule 1 or their equivalents classified by a competent authority in another member state; and
- (b) any person keeping classified fireworks in premises registered or in stores or magazines licenced under section 5 of the Explosives Act 1875 for the purpose of wholesale or retail trade;
- (c) “Classified” in this regulation has the meaning assigned to it by the Classification and Labelling of Explosives Regulations (Northern Ireland) 1991(1).

Licence fee

10. The fee payable to the Secretary of State for the processing of a licence under regulation 4(1) shall be such sum as is specified in Schedule 3.