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SCOTTISH STATUTORY INSTRUMENTS

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**2004 No. 393**

**The Fireworks (Scotland) Regulations 2004**

**Interpretation**

**2.** In these Regulations—

“adult firework” means

- (a) any firework which does not comply with the relevant requirements of Part 2 of BS 7114 when tested in accordance with the appropriate test method (if any) in Part 3 of BS 7114; or
- (b) any firework (except for a cap, cracker snap, novelty match, party popper, serpent, sparkler or throwdown) which does comply with those requirements;

“amorce” means a firework which is a percussion cap designed for use in toys, which comprises a paper envelope containing a dot of impact-sensitive pyrotechnic composition and which forms part of a roll;

“BS 7114” means the British Standard Specification comprising the following parts—

- (a) BS 7114: Part 1: 1988, the British Standard Specification for classification of fireworks published on 30th November 1988<sup>(1)</sup>;
- (b) BS 7114: Part 2: 1988, the British Standard Specification for fireworks published on 30th November 1988<sup>(2)</sup>; and
- (c) BS 7114: Part 3: 1988, the British Standard Specification for methods of test for fireworks published on 30th November 1988<sup>(3)</sup>;

and references to Parts 1, 2 or 3 of BS 7114 shall be construed accordingly;

“cap” means a firework (including an amorce) designed for use in toys which comprises a non-metallic envelope or cup containing a dot of impact-sensitive pyrotechnic composition, and which produces a report when it is hit;

“category 3 firework” means a firework classified as category 3 under Part 1 of BS 7114;

“category 4 firework” means a firework classified as category 4 under Part 1 of BS 7114;

“cracker snap” means a firework—

- (a) which comprises two overlapping strips of card or paper with a friction-sensitive explosive composition in sliding contact with an abrasive surface; and
- (b) which produces a report when pulled apart;

“local authority” means a council constituted under section 2 of the Local Government etc. (Scotland) Act 1994<sup>(4)</sup>;

“novelty match” means a firework comprising a match with a dot of pyrotechnic composition which is designed to be held in the hand while functioning and whose functioning involves a report or the production of visual effects, or both;

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(1) ISBN 0 580 17026 8.  
(2) ISBN 0 580 17027 6.  
(3) ISBN 0 580 17028 4.  
(4) 1994 c. 39.

“party popper” means a firework comprising a device—

- (a) which is designed to be held in the hand while functioning;
- (b) which is operated by a pull-string with an abrasive surface in sliding contact with a friction-sensitive pyrotechnic composition; and
- (c) whose functioning involves a report with the ejection of streamers or confetti, or both;

“pyrotechnic composition” means a substance or a mixture of a substance designed to produce an effect by heat, light, sound, gas or smoke or a combination of these as the result of non-detonative self-sustaining exothermic chemical reactions;

“serpent” means a firework, comprising a pre-formed shape of pyrotechnic composition, with or without support, whose functioning involves the generation of expanded residue;

“sparkler” means a firework, other than a category 3 or category 4 firework, comprising a rigid wire partially coated with slow-burning pyrotechnic composition, whose functioning involves the emission of sparks without a report;

“the enforcement duty” means the duty imposed by section 27(1) of the Consumer Protection Act 1987<sup>(5)</sup>, insofar as that duty is, by virtue of section 12(1) of the Fireworks Act 2003<sup>(6)</sup> exercisable in relation to the enforcement of the prohibition imposed by regulation 3 of these Regulations; and

“throwdown” means a firework comprising impact-sensitive explosive composition and grains of inert material wrapped in paper or foil and which functions to produce a report when thrown onto the ground.

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(5) 1987 c. 43.  
(6) 2003 c. 22.