

2016 No. 18

FIREWORKS

The Fireworks (Scotland) Amendment Regulations 2016

Made - - - - *12th January 2016*

Laid before the Scottish Parliament *14th January 2016*

Coming into force - - *1st March 2016*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2 of the Fireworks Act 2003(a) and all other powers enabling them to do so.

In accordance with section 2(3) of that Act(b), the Scottish Ministers have consulted the Health and Safety Executive, those organisations which appeared to them to be substantially affected by these Regulations and such other persons whom they considered it appropriate to consult.

Citation and commencement

1. These Regulations may be cited as the Fireworks (Scotland) Amendment Regulations 2016 and come into force on 1st March 2016.

Amendment of the Fireworks (Scotland) Regulations 2004

2. In regulation 2 (interpretation) of the Fireworks (Scotland) Regulations 2004(c)—

(a) for the definition of “adult firework”, substitute—

““adult firework” means a—

(a) category F2 firework (within the meaning set out in paragraph 2 of Schedule 1 to the Pyrotechnic Articles (Safety) Regulations 2015(d));

(b) category F3 firework (within the meaning set out in paragraph 3 of that Schedule);
or

(c) category F4 firework (within the meaning set out in paragraph 4 of that Schedule);”;

(b) omit the following definitions—

(i) “amorçe”;

(ii) “BS 7114”;

(iii) “cap”;

(a) 2003 c.22; functions under section 2 are exercisable by the Scottish Ministers (concurrently with the Secretary of State) by virtue of S.I. 2004/2030; a full regulatory impact assessment (as required by section 2(4) of the Fireworks Act 2003) was carried out prior to the making of S.S.I. 2004/393.

(b) Section 2(3) was amended by S.I. 2008/960.

(c) S.S.I. 2004/393, amended by S.S.I. 2005/245.

(d) S.I. 2015/1553.

- (iv) “category 3 firework”;
 - (v) “category 4 firework”;
 - (vi) “cracker snap”;
 - (vii) “novelty match”;
 - (viii) “party popper”;
 - (ix) “pyrotechnic composition”;
 - (x) “serpent”;
 - (xi) “sparkler”; and
 - (xii) “throwdown”; and
- (c) omit the word “and” immediately after the definition of “the enforcement duty”.

St Andrew’s House,
Edinburgh
12th January 2016

JOHN SWINNEY
A member of the Scottish Government

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Fireworks (Scotland) Regulations 2004 by substituting a new definition of “adult firework”. The definition operates by reference to categories of firework set out in the Pyrotechnic Articles (Safety) Regulations 2015 (S.I. 2015/1553). Certain other definitions which are no longer required in consequence are deleted.

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