

*These notes refer to the Fireworks Act 2003 (c.22)
which received Royal Assent on 18 September 2003*

FIREWORKS ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Section 2: Power to make regulations about fireworks

9. *Subsection (1)* provides that the Secretary of State may by fireworks regulations make provision for securing that there is no risk that the use of the fireworks will have the consequences specified in *subsection (2)* (namely death, injury or distress to persons or animals (and also alarm or anxiety to persons) or destruction of, or damage to, property) or that such risk is the minimum that is compatible with fireworks being used.
10. *Subsection (3)* requires the Secretary of State to undertake consultation before making fireworks regulations unless *subsection (5)* concerning an urgent need to protect the public applies.
11. *Subsection (4)* requires the Secretary of State to publish an assessment of the likely costs and benefits of the proposed regulations, and of their likely economic, social and environmental impact, before making fireworks regulations.
12. *Subsections (6) and (8)* clarify the power of the Secretary of State to make fireworks regulations, and *subsection (7)* applies section 18 of the 1987 Act (which empowers the Secretary of State to require information to be furnished to her) in relation to fireworks regulations.