



Fireworks Act 2003

2003 CHAPTER 22

Supplementary

11 Offences

- (1) Any person who contravenes a prohibition imposed by fireworks regulations is guilty of an offence.
- (2) Any person who fails to comply with a requirement imposed by or under fireworks regulations to give or not to give information is guilty of an offence.
- (3) Where a requirement to give information is imposed by or under fireworks regulations, a person is guilty of an offence if, in giving the information, he—
 - (a) makes a statement which he knows is false in a material particular, or
 - (b) recklessly makes a statement which is false in a material particular.
- (4) A person guilty of an offence under this section is liable on summary conviction to—
 - (a) imprisonment for a term not exceeding six months, or
 - (b) a fine not exceeding level 5 on the standard scale,or to both.
- (5) Fireworks regulations may not provide for any contravention of the regulations to be an offence.
- (6) Paragraphs (c), (e) and (f) of section 11(3) of the Consumer Protection Act 1987 (c. 43) (provision about offences which may be included in regulations) apply in relation to fireworks regulations as to regulations under section 11 of that Act, but as if references to an offence under section 12 of that Act were references to an offence under this section.
- (7) Section 39 of that Act (defence of due diligence) applies to offences under subsections (1) and (2) of this section; and section 40(1) of that Act (liability of persons other than the principal offender) has effect accordingly.
- (8) In proceedings against any person for an offence of contravening a prohibition imposed by fireworks regulations made by virtue of section 3(1) it is a defence for that

Changes to legislation: There are currently no known outstanding effects for the Fireworks Act 2003, Section 11. (See end of Document for details)

person to show that he had no reason to suspect that the person to whom he supplied, offered to supply or agreed to supply the fireworks was below the age specified in the regulations.

- (9) Section 40(2) and (3) of the Consumer Protection Act 1987 (c. 43) (offences by bodies corporate) applies to an offence under this section as to an offence under that Act.

Modifications etc. (not altering text)

- C1** S. 11(6): functions made exercisable concurrently (29.7.2004) by [Scotland Act 1998 \(Transfer of Functions to the Scottish Ministers etc.\) Order 2004 \(S.I. 2004/2030\)](#), art. 1(1), **Sch.** (with art. 7)

Commencement Information

- I1** S. 11 in force at 28.11.2003 for specified purposes by [S.I. 2003/3084](#), art. 2, **Sch.**
I2 S. 11 in force at 15.7.2004 for specified purposes by [S.I. 2004/1831](#), art. 2, **Sch.**

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