
STATUTORY INSTRUMENTS

1996 No. 3200

CONSUMER PROTECTION

The Fireworks (Safety) Regulations 1996

Made - - - - *19th December 1996*
Laid before Parliament *19th December 1996*
Coming into force - - *20th December 1996*

Whereas it appears to the Secretary of State that the need to protect the public requires that these Regulations should be made without delay:

Now, therefore, the Secretary of State, in exercise of the powers conferred on him by section 11 of the Consumer Protection Act 1987(1), hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Fireworks (Safety) Regulations 1996.

(2) These Regulations shall come into force on 20th December 1996 and shall cease to have effect at the end of a period of twelve months beginning with that date.

2. In these Regulations—

“aerial maroon” means a firework—

- (a) which is designed to be projected from a mortar tube;
- (b) which contains a bursting charge; and
- (c) whose functioning involves ascent and report;

but, for the avoidance of doubt, shall not include a rocket;

“aerial shell” means a firework—

- (a) which is designed to be projected from a mortar tube;
- (b) which contains a propellant charge and a bursting charge;
- (c) which contains pyrotechnic units or loose pyrotechnic composition, or both pyrotechnic units and loose pyrotechnic composition; and
- (d) whose functioning involves ascent and subsequent bursting of the firework case and ejection of any pyrotechnic units;

but, for the avoidance of doubt, shall not include a rocket;

“combination” means an assembly which includes two or more fireworks, at least one of which is an aerial shell or an aerial maroon, and which has one or more points of ignition;

“firework” means a device intended for use as a form of entertainment containing explosive composition which, upon functioning, burns or explodes (or both burns and explodes) to produce a visual or aural effect or a combination of such effects;

“local authority” means—

- (a) in relation to England, a county council, a district council or a London borough council, the Common Council of the City of London or the Council of the Isles of Scilly;
- (b) in relation to Wales, a county council or a county borough council; and
- (c) in relation to Scotland, a council constituted under section 2 of the Local Government etc (Scotland) Act 1994⁽²⁾;

“maroon-in-mortar” means—

- (a) an assembly comprising an aerial maroon inside a tube, from which the aerial maroon is designed to be projected; or
- (b) an assembly comprising two or more tubes at least one of which contains an aerial maroon, where the maroons are designed to be projected from the tubes;

“rocket” means a firework—

- (a) which comprises a tube containing pyrotechnic composition or pyrotechnic units (or both pyrotechnic composition and pyrotechnic units) equipped with a stick or sticks for the purpose of stabilising its flight, or with some other means for that purpose; and
- (b) which is designed to be propelled into the air;

“shell-in-mortar” means—

- (a) an assembly comprising an aerial shell inside a tube, from which the aerial shell is designed to be projected; or
- (b) an assembly comprising two or more tubes at least one of which contains an aerial shell, where the shells are designed to be projected from the tubes; and

“supply” includes offering to supply, agreeing to supply, exposing for supply and possessing for supply, and “supplier” shall be construed accordingly.

3. Subject to regulation 4 below, no person shall supply any aerial shell, aerial maroon, shell-in-mortar, maroon-in-mortar or combination.

4. Regulation 3 above shall not prohibit the supply of any aerial shell, aerial maroon, shell-in-mortar, maroon-in-mortar or combination to—

- (a) any person whose trade or business, or part of whose trade or business, is the professional organisation or professional operation of firework displays;
- (b) any person whose trade or business, or part of whose trade or business, is the supply of fireworks;
- (c) any local authority for the purposes of a firework display;
- (d) 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; or
- (e) any local authority, enforcement authority or other body, where that authority or body—
 - (i) has enforcement powers, conferred by or under any enactment, applying to aerial shells, aerial maroons, shells-in-mortars, maroons-in-mortars or combinations; and

(2) 1994 c. 39.

(ii) before it purchases the goods, informs the supplier that the purchase is to be made for the purposes of ascertaining whether any provision made by or under any enactment and relating to the safety of the goods has been contravened in relation to those goods.

5. These Regulations shall not extend to Northern Ireland.

Department of Trade and Industry
19th December 1996

John M Taylor,
Parliamentary Under-Secretary of State for
Corporate and Consumer Affairs,

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations (which do not extend to Northern Ireland) prohibit the supply of certain types of firework, namely aerial shells, aerial maroons, shells-in-mortars, maroons-in-mortars and combinations (regulation 3).

They do not, however, prevent such fireworks being supplied to—

- (a) persons whose trade or business, or part of whose trade or business, is the professional organisation or operation of firework displays;
- (b) local authorities, for the purposes of firework displays; or
- (c) any person for use, in the course of his trade or business, for special effects purposes in the theatre, on film or on television (regulation 4(a), (c) and (d)).

The Regulations also allow supplies to bodies with enforcement powers when making certain test purchases and to persons whose trade or business, or part of whose trade or business, is the supply of fireworks (regulation 4(b) and (e)).

A compliance cost assessment is available, copies of which have been placed in the libraries of both Houses of Parliament. Copies are also available from the Consumer Affairs and Competition Policy Directorate of the Department of Trade and Industry, Room 4.H.3, 1 Victoria Street, London SW1H 0ET.