
STATUTORY INSTRUMENTS

2004 No. 3262

The Fireworks (Amendment) Regulations 2004

Amendment of regulation 9 of the principal Regulations

3.—(1) Regulation 9 of the principal Regulations is amended as follows.

(2) For paragraph (1), there is substituted—

“(1) Subject to paragraphs (2) and (2A) below, no person shall supply or expose for supply any adult firework, save in accordance with either—

- (a) a licence granted in respect of each premises under his control at which the fireworks are supplied or exposed for supply; or
- (b) a licence granted to him, if the fireworks which he supplies or exposes for supply are kept at premises which are not under his control.”

(3) After paragraph (2), there is inserted—

“(2A) Paragraph (1) above shall not prohibit the supply or exposing for supply, otherwise than in accordance with a licence, of adult fireworks—

- (a) to a person who is employed in, or whose trade or business (or part of whose trade or business) is the supply of fireworks or assemblies, for the purpose of that person’s supplying them in accordance with the provisions of the 1997 Regulations;
- (b) to a person who is employed by, or in business as, a professional organiser or operator of firework displays for the purpose of that person’s employment or business; or
- (c) to a person who is employed in, or whose trade or business (or part of whose trade or business) is, the transport of fireworks, for the purpose of that person’s trade, employment or business.”

(4) For paragraph (3), there is substituted—

“(3) An application for a licence under this regulation shall be made to the local licensing authority in whose area—

- (a) the premises concerned are located in the case of a licence mentioned in paragraph (1)(a) above, or
- (b) the principal business premises of the applicant are located in the case of a licence mentioned in paragraph (1)(b) above.”

(5) For paragraph (4), there is substituted—

“(4) A local licensing authority shall not grant a licence unless it is satisfied—

- (a) in the case of an application under paragraph (3)(a) above, that the premises which are the subject of the application, are licensed or registered in accordance with the Explosives Act 1875(1); or

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- (b) in the case of an application under paragraph (3)(b) above, that the fireworks which will be supplied or exposed for supply by the applicant, will be kept at premises which are licensed or registered in accordance with that Act.”
- (6) For paragraph (7), there is substituted—
 - “(7) A local licensing authority shall charge a fee of £500 a year in connection with the grant of a licence in accordance with this regulation.”