
STATUTORY INSTRUMENTS

2015 No. 1553

The Pyrotechnic Articles (Safety) Regulations 2015

PART 6

Miscellaneous

Review

- 73.**—(1) The Secretary of State must from time to time—
- (a) carry out a review of these Regulations;
 - (b) set out the conclusions of the review in a report; and
 - (c) publish the report.
- (2) In carrying out the review the Secretary of State must, so far as is reasonable, have regard to how the Directive is implemented in other member States.
- (3) The report must, in particular—
- (a) set out the objectives intended to be achieved by the regulatory system established by these Regulations;
 - (b) assess the extent to which those objectives are achieved; and
 - (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved by a system that imposes less regulation.
- (4) The first report under this regulation must be published no later than 5 years after the commencement date.
- (5) Reports under this regulation are afterwards to be published at intervals not exceeding 5 years.

Transitional provisions

- 74.**—(1) Subject to paragraphs (3) and (4), the provisions of Part 2 (and of Part 5, so far as applying in relation to obligations under Part 2) do not apply in respect of a design of pyrotechnic article which was lawfully manufactured or placed on the market in the United Kingdom immediately before 4th July 2010 and which is of one of the following categories—
- (a) a category F1 firework;
 - (b) a category F2 firework; or
 - (c) a category F3 firework.
- (2) Subject to paragraphs (3) and (4), the provisions of Part 2 (and of Part 5, so far as applying in relation to obligations under Part 2) do not apply in respect of a design of pyrotechnic article which was lawfully manufactured or placed on the market in the United Kingdom immediately before 4th July 2013 and which is of one of the following categories—
- (a) a category F4 firework;
 - (b) a category T1 theatrical pyrotechnic article;

- (c) a category T2 theatrical pyrotechnic article;
 - (d) a category P1 other pyrotechnic article; or
 - (e) a category P2 other pyrotechnic article.
- (3) On 5th July 2017 the following provisions cease to have effect—
- (a) paragraph (1); and
 - (b) paragraph (2), except to the extent that it applies to a pyrotechnic article for a vehicle (including as spare parts).
- (4) The following regulations apply to pyrotechnic articles falling within paragraphs (1) and (2)—
- (a) regulation 31 (prohibition on making available to persons younger than the minimum age limit);
 - (b) regulation 32 (prohibition on making available to persons without specialist knowledge); or
 - (c) regulation 33 (prohibition on making available certain category F2 or category F3 fireworks).
- (5) For the purposes of these Regulations, a certificate issued, or approval granted, by a notified body under regulation 44(1) of the 2010 Regulations, or any enactment of another member State which implemented the 2007 Directive, is to be treated as a certificate issued or approval granted under Annex II to the Directive.
- (6) In this regulation, “2007 Directive” means [Directive 2007/23/EC](#) of the European Parliament and of the Council on the placing on the market of pyrotechnic articles⁽¹⁾.

Consequential revocations, savings and amendments

- 75.**—(1) Subject to paragraph (2), the 2010 Regulations and the Pyrotechnic Articles (Safety) (Amendment) Regulations 2013⁽²⁾ are revoked.
- (2) The enactments referred to in paragraph (1) continue to apply, as if they had not been revoked, to—
- (a) an article placed on the market before the commencement date;
 - (b) a pyrotechnic article to which regulation 74(1) or (2) applies.
- (3) In section 31 of the Explosives Act 1875⁽³⁾, for subsections (2) to (5), substitute—
- “(2) Subsection (1) does not apply to—
- (a) pyrotechnic articles within the meaning set out in regulation 3 of the Pyrotechnic Articles (Safety) Regulations 2015; or
 - (b) percussion caps intended specifically for toys within the meaning set out in regulation 4(2) of the Toys (Safety) Regulations 2011 ([S.I. 2011/1881](#)).”.

(4) Paragraph (3) of this regulation, and regulation 49(1) of the 2010 Regulations, cease to have effect when the repeal of section 31 of the Explosives Act 1875 (by section 15 of, and the Schedule to, the Fireworks Act 2003⁽⁴⁾) comes into force.

(5) The Fireworks Regulations 2004⁽⁵⁾ are amended as set out in Schedule 10 (consequential amendments to the Fireworks Regulations 2004).

(1) OJ L 154, 14.6.2007, p. 1.

(2) [S.I. 2013/1950](#).

(3) [1875 c.17](#); section 31(2) to (5) was inserted by [S.I. 2010/1554](#).

(4) [2003 c.22](#).

(5) [S.I. 2004/1836](#); amended by the Commissioners for Revenue and Customs Act 2005, section 50, [S.I. 2004/3262](#) and [2010/1554](#).

(6) The Explosives (Fireworks) Regulations (Northern Ireland) 2002⁽⁶⁾ are amended as set out in Schedule 11 (consequential amendments to the Explosives (Fireworks) Regulations (Northern Ireland) 2002).

⁽⁶⁾ S.R. (N.I.) 2002 No. 147; amended by S.I. 2010/1554.