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## STATUTORY INSTRUMENTS

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# 2015 No. 1553

## The Pyrotechnic Articles (Safety) Regulations 2015

### PART 6

#### Miscellaneous

#### Consequential revocations, savings and amendments **E+W+S**

75.—(1) Subject to paragraph (2), the 2010 Regulations and the Pyrotechnic Articles (Safety) (Amendment) Regulations 2013<sup>M1</sup> are revoked.

(2) [<sup>F1</sup>Subject to the modifications made to the 2010 Regulations in paragraph (2A), the enactments referred to in paragraph (1) continue to apply, as if they had not been revoked, to—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.

[<sup>F2</sup>(2A) The modifications referred to in paragraph (2) are as follows—

- (a) in regulations 18(3) and 36(3), for “EU” substitute “ UK ”;
- (b) in regulation 13, omit paragraph (4);
- (c) in regulation 19—

- (i) omit paragraphs (9) and (11); and
- (ii) for paragraph (10) substitute—

“(10) Where the Secretary of State has sufficient reason to believe that a category 1, 2 or 3 firework presents a serious risk to the health or safety of persons in the UK, the Secretary of State shall perform an appropriate evaluation.”

- (d) in regulation 30 omit paragraph (4);
- (e) in regulation 37—

- (i) omit paragraphs (10) and (12); and
- (ii) for paragraph (11) substitute—

“(11) Where the Secretary of State has sufficient reason to believe that a pyrotechnic article presents a serious risk to the health or safety of persons in the UK, the Secretary of State shall perform an appropriate evaluation.”.]

(3) In section 31 of the Explosives Act 1875<sup>M2</sup>, 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).”.

*Status: There are multiple versions of this provision on screen. These apply to different geographical extents. Skip to: E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent*  
*Changes to legislation: There are currently no known outstanding effects for the The Pyrotechnic Articles (Safety) Regulations 2015, Section 75. (See end of Document for details)*

(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<sup>M3</sup>) comes into force.

(5) The Fireworks Regulations 2004<sup>M4</sup> are amended as set out in Schedule 10 (consequential amendments to the Fireworks Regulations 2004).

(6) The Explosives (Fireworks) Regulations (Northern Ireland) 2002<sup>M5</sup> are amended as set out in Schedule 11 (consequential amendments to the Explosives (Fireworks) Regulations (Northern Ireland) 2002).

#### Extent Information

**E1** This version of this provision extends to England and Wales and Scotland only; a separate version has been created for Northern Ireland only

#### Textual Amendments

- F1** Words in [reg. 75\(2\)](#) substituted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 19 para. 37\(2\)](#) (with [Sch. 19 para. 36](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)
- F2** [Reg. 75\(2A\)](#) inserted (E.W.S.) (31.12.2020) by [The Product Safety and Metrology etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/696\)](#), [reg. 1](#), [Sch. 19 para. 37\(3\)](#) (with [Sch. 19 para. 36](#)) (as amended by [S.I. 2020/676](#), [regs. 1\(1\), 2](#)); 2020 c. 1, [Sch. 5 para. 1\(1\)](#)

#### Marginal Citations

- M1** [S.I. 2013/1950](#).
- M2** [1875 c.17](#); [section 31\(2\) to \(5\)](#) was inserted by [S.I. 2010/1554](#).
- M3** [2003 c.22](#).
- M4** [S.I. 2004/1836](#); amended by the Commissioners for Revenue and Customs Act 2005, [section 50](#), [S.I. 2004/3262](#) and [2010/1554](#).
- M5** [S.R. \(N.I.\) 2002 No. 147](#); amended by [S.I. 2010/1554](#).

### Consequential revocations, savings and amendments **N.I.**

**75.—**(1) Subject to paragraph (2), the 2010 Regulations and the Pyrotechnic Articles (Safety) (Amendment) Regulations 2013<sup>F3</sup> 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<sup>F4</sup>, 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<sup>F5</sup>) comes into force.

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**Status:** There are multiple versions of this provision on screen. These apply to different geographical extents. **Skip to:** E+W+S - England, Wales and Scotland extent N.I. - Northern Ireland extent

**Changes to legislation:** There are currently no known outstanding effects for the The Pyrotechnic Articles (Safety) Regulations 2015, Section 75. (See end of Document for details)

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(5) The Fireworks Regulations 2004 <sup>F6</sup> are amended as set out in Schedule 10 (consequential amendments to the Fireworks Regulations 2004).

(6) The Explosives (Fireworks) Regulations (Northern Ireland) 2002 <sup>F7</sup> are amended as set out in Schedule 11 (consequential amendments to the Explosives (Fireworks) Regulations (Northern Ireland) 2002).

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#### Extent Information

**E2** This version of this provision extends to Northern Ireland only; a separate version has been created for England and Wales and Scotland only

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#### Textual Amendments

**F3** [S.I. 2013/1950](#).

**F4** [1875 c.17](#); section 31(2) to (5) was inserted by [S.I. 2010/1554](#).

**F5** [2003 c.22](#).

**F6** [S.I. 2004/1836](#); amended by the Commissioners for Revenue and Customs Act 2005, section 50, [S.I. 2004/3262](#) and [2010/1554](#).

**F7** [S.R. \(N.I.\) 2002 No. 147](#); amended by [S.I. 2010/1554](#).

**Status:**

There are multiple versions of this provision on screen. These apply to different geographical extents.

**Skip to:**

- E+W+S - England, Wales and Scotland extent
- N.I. - Northern Ireland extent

**Changes to legislation:**

There are currently no known outstanding effects for the The Pyrotechnic Articles (Safety) Regulations 2015, Section 75.