

*These notes relate to the Fireworks and Pyrotechnic Articles (Scotland)
Act 2022 (asp 9) which received Royal Assent on 10 August 2022*

FIREWORKS AND PYROTECHNIC ARTICLES (SCOTLAND) ACT 2022

EXPLANATORY NOTES

THE ACT

Overview

Part 2: Fireworks licensing

Process for licensing

Section 12—Revocation of fireworks licence

43. **Section 12** enables the Scottish Ministers to revoke a person’s fireworks licence if that person breaches a licence condition or is convicted of a “relevant offence” (as defined under section 7(4)). Subsections (3) to (8) set out the process for revocation via a notice of revocation, and make it an offence to fail to comply with the notice. The offence is punishable (on summary conviction) by a fine not exceeding level 5 on the standard scale (currently £5,000) (see subsection (6)).
44. The ability of the Scottish Ministers to revoke a licence where a person is convicted of a relevant offence enables the Scottish Ministers to revoke a licence where the court has chosen not to cancel the licence. That may arise in circumstances where the Scottish Ministers have a wider range of information available than the convicting court did and conclude that the person cannot possess and use fireworks safely and appropriately. It also enables the Scottish Ministers to require the surrender of a convicted person’s licence and any fireworks in their possession where the convicting court did not do so. This is achieved by means of giving a notice of revocation (albeit the licence has already ceased to have effect due to its cancellation by the convicting court).