



Fireworks and Pyrotechnic Articles (Scotland) Act 2022

2022 asp 9

PART 1

KEY CONCEPTS

1 Meaning of “firework” and “pyrotechnic article”

(1) In this Act—

“firework” means a pyrotechnic article which—

- (a) is a firework for the purposes of the following British Standards or any British Standard replacing them—
 - (i) BS EN 15947:2015, or
 - (ii) BS EN 16261:2012, or
- (b) would be a firework for those purposes if it were intended as a form of entertainment,

“pyrotechnic article” means an article which contains explosive substances or an explosive mixture of substances designed to produce heat, light, sound, gas or smoke or a combination of such effects through self-sustained exothermic chemical reactions.

(2) But, for the purposes of this Act, a projectile, propelling charge or blank ammunition used in a portable firearm, other gun or artillery is not a pyrotechnic article.

(3) The Scottish Ministers may by regulations modify—

- (a) [subsection \(1\)](#) to amend or replace the definition of “firework”, or
- (b) [subsection \(2\)](#) to add, amend or remove articles or descriptions of types of articles that are not to be treated as a pyrotechnic article for the purposes of this Act.

(4) Regulations under [subsection \(3\)](#) are subject to the affirmative procedure.

2 Categories of fireworks

(1) In this Act—

“category F1 firework” means a firework which presents a very low hazard and negligible noise level and which is intended for use in confined areas, including a firework which is intended for use inside domestic buildings,

“category F2 firework” means a firework which presents a low hazard and low noise level and which is intended for outdoor use in confined areas,

“category F3 firework” means a firework which presents a medium hazard, which is intended for outdoor use in large open areas and whose noise level is not harmful to human health,

“category F4 firework” means a firework which presents a high hazard, which is intended for use only by persons with specialist knowledge and whose noise level is not harmful to human health.

(2) The Scottish Ministers may by regulations—

- (a) modify [subsection \(1\)](#) to add, amend or remove categories, types, classifications or descriptions of fireworks,
- (b) make further provision about the requirements a person must meet to demonstrate “specialist knowledge” for the purposes of the definition of a “category F4 firework”.

(3) Regulations—

- (a) under [subsection \(2\)\(a\)](#) are subject to the affirmative procedure,
- (b) under [subsection \(2\)\(b\)](#) are subject to the negative procedure.