



Fireworks and Pyrotechnic Articles (Scotland) Act 2022

2022 asp 9

PART 2

FIREWORKS LICENSING

Fireworks licensing

PROSPECTIVE

5 Supply of fireworks to unlicensed persons

- (1) It is an offence for a person, without reasonable excuse, to supply a firework to which [this Part](#) applies to a person who does not have a fireworks licence.
- (2) A person who commits an offence under subsection (1) is liable, on summary conviction, to imprisonment for a term not exceeding 6 months or a fine not exceeding level 5 on the standard scale (or both).
- (3) It is a defence for a person charged with an offence under subsection (1) to show that the person took reasonable steps to establish that the person to whom the firework was supplied had a fireworks licence or was exempt under schedule 1.
- (4) It is the duty of each local weights and measures authority to enforce [this section](#) in its area in so far as it relates to the supply of fireworks by a person in the course of business.
- (5) In this section, “supply” of a firework includes—
 - (a) selling it,
 - (b) exchanging it for a consideration other than money,
 - (c) giving it as a prize or otherwise making a gift of it,
 - (d) otherwise making the firework available.
- (6) This section is subject to section [38](#) and schedule [1](#) (exemptions).

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Fireworks and Pyrotechnic Articles (Scotland) Act 2022, Section 5. (See end of Document for details)

Commencement Information

II S. 5 not in force at Royal Assent, see [s. 56\(2\)](#)

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