

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, Paragraph 12. (See end of Document for details)

PROSPECTIVE

SCHEDULE 2

INVESTIGATORY POWERS OF A LOCAL WEIGHTS AND MEASURES AUTHORITY

Notice of testing of item

- 12 (1) [Sub-paragraphs \(2\)](#) and [\(3\)](#) apply where—
- (a) a firework purchased (or acquired under direction or by arrangement) by an officer of a local weights and measures authority under [paragraph 2](#) is submitted to a test and as a result proceedings are brought for an offence under [section 5](#) or [22](#), or
 - (b) a firework or item seized by an officer of a local weights and measures authority under [paragraph 6](#) is submitted to a test.
- (2) The local weights and measures must inform the relevant person of the results of the test.
- (3) The local weights and measures authority must allow a relevant person to have the firework or item tested if it is reasonably practicable to do so.
- (4) In [sub-paragraph \(2\)](#), “relevant person” means the person from whom the firework or item was purchased or seized.
- (5) In [sub-paragraph \(3\)](#), “relevant person” means—
- (a) in a case within [sub-paragraph \(1\)\(a\)](#), a person who is a party to the proceedings, or
 - (b) in any other case, a person referred to in [sub-paragraph \(4\)](#).

Commencement Information

- II** Sch. 2 para. 12 not in force at Royal Assent, see [s. 56\(2\)](#)

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