
STATUTORY RULES OF NORTHERN IRELAND

2002 No. 147

Explosives (Fireworks) Regulations (Northern Ireland) 2002

Part II

Prohibition on the possession, purchase, sale, acquisition, handling or use of fireworks

4.—(1) Subject to regulation 9, the possession, purchase, sale, acquisition, handling or use of fireworks by a person other than a Government Inspector, Constable or representative of an enforcing authority acting in his capacity as such shall be prohibited except under licence issued by the Secretary of State.

(2) Subject to regulation 5 the possession, purchase, sale, acquisition, handling or use of any firework of erratic flight or any mini-rocket, or banger or air bomb in category 2 is prohibited.

Exception for special effects purposes

5. Regulation 4(2) shall not prohibit the possession, purchase, sale, acquisition, handling or use of any firework or assembly to which that regulation applies under licence issued under regulation 4(1) to any person for use in the course of trade or business of his, for special effects purposes in the theatre, or film or television.

Licence for the possession, purchase, sale, acquisition, handling or use of fireworks

6.—(1) An application for a licence under regulation 4(1) shall be made in writing to the Secretary of State and shall be accompanied by such information and in such form and be made in such time as the Secretary of State may require.

(2) A licence under regulation 4(1) shall be in such form and subject to such conditions bearing on health and safety as the Secretary of State may require.

(3) Without prejudice to the generality of paragraph (2), the conditions imposed under that paragraph may include conditions as to the persons who are present, on behalf of the applicant, when the fireworks are fired.

(4) The Secretary of State shall not issue a licence under regulation 4(1) unless he is satisfied that to do so would not put at risk the health and safety of any person.

Production of licence

7.—(1) The purchaser of fireworks acting under a licence issued under regulation 4(1) shall produce his licence to the seller at the time of purchase and the seller, where such licence is not so produced, shall be prohibited from selling such fireworks.

(2) The seller of fireworks subject to licence shall keep a permanent record of all sales of such fireworks. He shall record the name and address of every person to whom he sells such fireworks together with the date of each such sale and particulars of the quantity and type of the fireworks sold and the licence number.

(3) The record shall be retained for at least two years.

(4) The record shall on demand be immediately produced for inspection by a Government Inspector, Constable or representative of an enforcing authority on production of his warrant.

Labelling requirements

8.—(1) Where fireworks and assemblies in category 4 are sold or transferred in accordance with regulation 4(1) the packaging must be marked with the words—

“This device must not be sold to, or used by, a member of the general public”.

(2) A person shall not sell or transfer any sparkler unless the packet in which it is contained is marked with the words “Warning: not to be given to children under 5 years of age”.

(3) A person shall not sell or transfer any firework which is not labelled in English.

Fireworks exempt from prohibition

9. Regulation 4(1) shall not apply to—

- (a) the fireworks in Schedule 1 or their equivalents classified by a competent authority in another member state; and
- (b) any person keeping classified fireworks in premises registered or in stores or magazines licenced under section 5 of the Explosives Act 1875 for the purpose of wholesale or retail trade;
- (c) “Classified” in this regulation has the meaning assigned to it by the Classification and Labelling of Explosives Regulations (Northern Ireland) 1991(1).

Licence fee

10. The fee payable to the Secretary of State for the processing of a licence under regulation 4(1) shall be such sum as is specified in Schedule 3.