



Fireworks Act 2003

2003 CHAPTER 22

Supplementary

[^{F1}11A Prohibitions on possession of fireworks – power of search: Scotland

- (1) A constable may search a person without warrant if the constable has reasonable grounds for suspecting that the person possesses a firework in contravention of a prohibition imposed by fireworks regulations.
- (2) A constable may detain a person for such time as is reasonably required to permit a search of the person under subsection (1) to be carried out.
- (3) A constable who detains a person under subsection (2) must inform the person of the reason for the detention.
- (4) If in the course of a search under this section, a constable discovers a firework which the constable has reasonable grounds for suspecting is being possessed by the person in contravention of a prohibition imposed by fireworks regulations, the constable may seize it.
- (5) A person who—
 - (a) intentionally obstructs a constable in the exercise of the constable's power under subsection (1) or (2); or
 - (b) conceals from a constable acting in the exercise of the constable's power under subsection (1) any firework whose possession contravenes a prohibition imposed by fireworks regulations,commits an offence.

^{F2}(6)

- (7) A person who commits an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.]

Changes to legislation: There are currently no known outstanding effects for the Fireworks Act 2003, Section 11A. (See end of Document for details)

Textual Amendments

- F1** Ss. 11A, 11B inserted (1.9.2006) by [Police, Public Order and Criminal Justice \(Scotland\) Act 2006](#) (asp 10), **ss. 76**, 104(1); S.S.I. 2006/432, art. 2(d)
- F2** S. 11A(6) repealed (S.) (25.1.2018) by [Criminal Justice \(Scotland\) Act 2016](#) (asp 1), s. 117(2), **sch. 2 para. 16(a)**; S.S.I. 2017/345, art. 3, sch.

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