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STATUTORY INSTRUMENTS

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**2004 No. 1836**

**The Fireworks Regulations 2004**

**Interpretation**

**3.** In these Regulations—

“adult firework” means—

- (a) any firework which does not comply with the relevant requirements of Part 2 of BS 7114 when tested in accordance with the appropriate test method (if any) in Part 3 of BS 7114; or
- (b) any firework (except for a cap, cracker snap, novelty match, party popper, serpent, sparkler or throwdown) which does comply with those requirements;

“amorce” means a firework which is a percussion cap designed for use in toys, which comprises a paper envelope containing a dot of impact-sensitive pyrotechnic composition and which forms part of a roll;

“assembly” means an assembly which includes any firework;

“BS 7114” means the British Standard Specification comprising the following parts—

- (a) BS 7114: Part 1: 1988, the British Standard Specification for classification of fireworks published on 30th November 1988<sup>(1)</sup>;
- (b) BS 7114: Part 2: 1988, the British Standard Specification for fireworks published on 30th November 1988<sup>(2)</sup>; and
- (c) BS 7114: Part 3: 1988, the British Standard Specification for methods of test for fireworks published on 30th November 1988<sup>(3)</sup>;

and references to Parts 1, 2 and 3 of BS 7114 shall be construed accordingly;

“BS EN 61672” means the British Standard Specification comprising the following parts—

- (a) BS EN 61672-1:2003, “Electroacoustics. Sound Level Meters. Specifications”, published on 25th March 2003<sup>(4)</sup>; and
- (b) BS EN 61672-2:2003, “Electroacoustics. Sound Level Meters. Pattern Evaluation Tests”, published on 11th July 2003<sup>(5)</sup>;

“cap” means a firework (including an amorce) designed for use in toys which comprises a non-metallic envelope or cup containing a dot of impact-sensitive pyrotechnic composition, and which produces a report when it is hit;

“category 3 firework” means a firework classified as category 3 under Part 1 of BS 7114;

“category 4 firework” means a firework classified as category 4 under Part 1 of BS 7114;

“cracker snap” means a firework—

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(1) ISBN 0 580 17026 8.  
(2) ISBN 0 580 17027 6.  
(3) ISBN 0580 17028 4.  
(4) ISBN 0 580 41452 3.  
(5) ISBN 0 580 42224 0

(a) which comprises two overlapping strips of card or paper with a friction-sensitive explosive composition in sliding contact with an abrasive surface; and

(b) which produces a report when pulled apart;

“explosives” has the same meaning as in the Explosives Act 1875<sup>(6)</sup>

“local licensing authority” means in relation to—

(a) the City of London, the Common Council for the City of London;

(b) an area in the rest of London, the London Borough Council for that area;

(c) an area where there is a fire and civil defence authority, that authority;

(d) the Isles of Scilly, the Council of the Isles of Scilly;

(e) an area in the rest of England, the county council for that area or where there is no county council for that area, the district council for that area;

(f) an area in Scotland, the council for the local government area; and

(g) an area in Wales, the county council or the county borough council for that area;

“novelty match” means a firework comprising a match with a dot of pyrotechnic composition which is designed to be held in the hand while functioning and whose functioning involves a report or the production of visual effects, or both;

“party popper” means a firework comprising a device—

(a) which is designed to be held in the hand while functioning;

(b) which is operated by a pull-string with an abrasive surface in sliding contact with a friction-sensitive pyrotechnic composition; and

(c) whose functioning involves a report with the ejection of streamers or confetti, or both;

“pyrotechnic composition” means a substance or a mixture of a substance designed to produce an effect by heat, light, sound, gas or smoke or a combination of these as the result of non-detonative self-sustaining exothermic chemical reactions;

“serpent” means a firework, comprising a pre-formed shape of pyrotechnic composition, with or without support, whose functioning involves the generation of expanded residue;

“sparkler” means a firework, other than a category 3 or category 4 firework, comprising a rigid wire partially coated with slow-burning pyrotechnic composition, whose functioning involves the emission of sparks without a report;

“the 1987 Act” means the Consumer Protection Act 1987<sup>(7)</sup>;

“the 2003 Act” means the Fireworks Act 2003<sup>(8)</sup>;

“the 1997 Regulations” means the Fireworks (Safety) Regulations 1997<sup>(9)</sup>;

“the court” means—

(a) in relation to a decision by a local licensing authority located in England and Wales, a magistrates' court in whose jurisdiction the local licensing authority is situated; and

(b) in relation to a decision by a local licensing authority located in Scotland, the sheriff in whose jurisdiction the local licensing authority is situated;

“the importation enforcement duty” means the duty imposed by section 27(1) of the 1987 Act, insofar as that duty is, by virtue of section 12(1) of the 2003 Act, exercisable in relation to the enforcement of the prohibition imposed by regulation 11 below;

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<sup>(6)</sup> 1875 c. 17.

<sup>(7)</sup> 1987 c. 43.

<sup>(8)</sup> 2003 c. 22.

<sup>(9)</sup> S.I.1997/2294.

“the licensing enforcement duty” means the duty imposed by section 27(1) of the 1987 Act, insofar as that duty is, by virtue of section 12(1) of the 2003 Act, exercisable in relation to the enforcement of the prohibition imposed by regulation 9 below;

“the possession enforcement duty” means the duty imposed by section 27(1) of the 1987 Act, insofar as that duty is, by virtue of section 12(1) of the 2003 Act, exercisable in relation to the enforcement of the prohibitions imposed by regulations 4 and 5 below;

“the use enforcement duty” means the duty imposed by section 27(1) of the 1987 Act, insofar as that duty is, by virtue of section 12(1) of the 2003 Act, exercisable in relation to the enforcement of the prohibition imposed by regulation 7 below; and

“throwdown” means a firework comprising impact-sensitive explosive composition and grains of inert material wrapped in paper or foil and which functions to produce a report when thrown onto the ground.