



Northern
Ireland
Office

Storing and selling fireworks safely

Advice for anyone storing fireworks for sale in
Northern Ireland

May 2007

Are you planning to store fireworks for sale?

This leaflet contains general advice on what you need to do to comply with the law and to fulfill your responsibility to ensure the safety of your staff, customers and the public. It also refers to good practice which is not compulsory but which you may find helpful.

Summary of the main legal requirements –

The legislation and supporting information presented here is not a comprehensive list of the legislation relating to the possession and use of explosives in Northern Ireland and it is not intended to be an authoritative statement of the law.

The main regulations relating to fireworks are:

(i) **The Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006 (MSER).**

Retailers must be registered or licensed by the Secretary of State, through the Northern Ireland Office (NIO), under MSER if they wish to store or sell fireworks. . Copies of the Regulations (SR 2006 No 425 and SR 2002 No 147) can be viewed here [http://www.nio.gov.uk/index/explosives_\(including_fireworks\)](http://www.nio.gov.uk/index/explosives_(including_fireworks)) or purchased from The Stationery Office Limited, Arthur Street, Belfast. An Approved Code of Practice and Guidance to accompany MSER is available from the Health and Safety Executive for Northern Ireland and can be accessed at www.hseni.gov.uk. Further information and an application pack can be accessed at [http://www.nio.gov.uk/index/explosives_\(including_fireworks\)](http://www.nio.gov.uk/index/explosives_(including_fireworks)) or you can contact the NIO's Firearms and Explosives Branch. Details are given at the end of this document.

Briefly, MSER requires that: -

- (a) you take appropriate measures to prevent fire or explosion, to limit the extent of a fire or explosion and to protect people from the effects of fire or explosion.
- (b) anyone storing more than 5 kg net of explosive (this includes fireworks) to either register with the Secretary of State, or for quantities in excess of to obtain a licence.

(ii) **The Explosives (Fireworks) Regulations (Northern Ireland) 2002.**

- ❖ The purchase, possession and use of fireworks of Categories 2 (except sparklers), 3 and 4 of BS7114:1988 require a licence issued by the NIO. Further information and an application form can be obtained from the NIO website http://www.nio.gov.uk/fireworks_application_form_and_guidance_notes.pdf or by contacting the NIO. The appropriate fee must be paid before the licence is issued.
- ❖ Anyone wishing to purchase fireworks of Categories 2, 3 or 4 of BS7114:1988 must produce his/her licence for examination by the retailer. In the absence of the licence the retailer is prohibited from selling fireworks to that person.
- ❖ Retailers must keep a permanent record of all sales of Category 2, 3 and 4 fireworks which must include the full name and address of the purchaser, the date of each sale, details of the quantity and type of fireworks sold and the number of the licence. These records must be retained for at least 2 years and must be available on demand for

inspection by a Government Inspector, Constable or representative from an enforcing authority on production of a warrant.

- ❖ It is an offence to sell fireworks which do not comply with British Standard 7114:1988 (BS7114:1988) or its European equivalent.

Copies of British Standard 7114:1988 are available from the British Standards Institution (BSI), 389 Chiswick High Road, London W4 4AL, or from The Stationery Office Limited.

- ❖ The sale, possession, purchase, or use of any fireworks of erratic flight or any mini-rocket, banger or air bomb in Category 2 of BS7114:1988 is prohibited.
- ❖ The purchase, possession and use of fireworks of Category 1 of BS7114:1988 do not require a licence issued by the NIO.
- ❖ Retailers must not sell sparklers unless the packet in which they are contained is marked with the words - "WARNING: not to be given to children under 5 years of age".
- ❖ Retailers must not sell any firework which is not clearly labelled in English.
- ❖ Retailers must display a warning notice stating "It is illegal to sell fireworks to anyone under the age of 16". The notice must be exhibited in a prominent position where it can be easily read by persons at the point of sale. Its dimensions must not be less than 297 mm by 420 mm with the letters not less than 36 mm high.
- ❖ Retailers must also display, prominently at the point of sale, their current Certificate of Registration or Licence under MSER.
- ❖ Where an offence under the fireworks regulations has been committed a fine of up to £5,000, or a prison sentence, or both, may be imposed.

(iii) **The Explosives Act (Northern Ireland) 1970**

The movement of any Category 3 and 4 fireworks requires prior approval from the Police Service for Northern Ireland. This will also apply where Category 2 fireworks have a total weight exceeding 900 Kgs. Police approval is not required for the movement of Category 1 fireworks.

(iv) **Explosives Act 1875**

- ❖ It is an offence to sell a firework to anyone under the age of 16 years.

(v) **The Management of Health and Safety at Work Regulations (Northern Ireland) 2000**

These require an employer to carry out a written risk assessment if they employ 5 or more persons and provide them with health and safety training.

In addition, there are also general duties under both health and safety at work and fire safety law whilst **The Smoking (Northern Ireland) Order 2006** require that premises be 'smoke

free' if they are used as a place of work or are open to the public. These regulations can be viewed at http://www.opsi.gov.uk/si/si2006/uksi_20062957_en.pdf

What you need to do

1. Considering the requirements of MSER you must decide what type and quantity of fireworks your storage facilities can accommodate.
2. ????
3. Carry out a Risk Assessment - This means thinking about what could go wrong when you have fireworks and taking sensible, common sense precautions to try to ensure, as far as is reasonably practicable, that it does not.

For example, the most serious risk posed by fireworks is if there is a fire so you will need to take steps to keep sources of ignition away from the fireworks.

There is a checklist to help you carry out your risk assessment at the end of this document.

You need to ask yourself:

- How could a fire start?
- How could it spread?
- What do I need to do to protect people?

You need to take precautions to:

prevent a fire starting;

Do:

- ✓ exclude sources of ignition.
- ✓ restrict entry to the store where the fireworks are kept.
- ✓ keep fireworks away from space heaters.
- ✓ follow your supplier's advice on returning unsold items.
- ✓

Don't:

- ✗ store fireworks with caustic substances such as drain cleaners, paint strippers and wood preservatives.
- ✗ keep fireworks near fertilisers and products containing peroxides (e.g. fibreglass hardeners).
- ✗ let the fireworks become wet or damp.

Stop a fire spreading

Do:

- ✓ keep fireworks in closed transport packaging until you move them to suitable display or storage cabinets.
- ✓ avoid handling the fireworks unnecessarily.

Don't:

- ✗ empty fireworks into metal dustbins.

- ✗ store fireworks near articles that could catch fire easily, leading to the fire spreading to the fireworks.
- ✗ store the fireworks near other articles that could spread the fire.
- ✗ store with flammable substances such as white spirit or nylon tights and stockings.
- ✗ store near wooden pallets, cardboard boxes, paper or parked vehicles.

Protecting people in the event of a fire

Do:

- ✓ ensure that all fireworks in the shop sales area are kept in a suitable display or storage cabinet.
- ✓ ensure all escape routes and fire exits are clear and fire exit doors unlocked.
- ✓ ensure that your fire detection and alarm system (if you have one) is tested and working properly.
- ✓ ensure that staff understand that the first priority is to ensure that they and customers leave the premises as quickly and safely as possible.
- ✓ carefully consider and manage the amount of stock in the shop sales area.
- ✓ position transport containers well away from any neighbouring houses.

Don't:

- ✗ store or display fireworks anywhere near an escape route or fire exit.
- ✗ store more than you are allowed to store under your licence or registration.
- ✗ store or display an excessive amount of fireworks in the sales area.

You must take special precautions if you share a building with flats or maisonettes. Details of these can be found at paragraph 311 of the Approved Code of Practice and Guidance.

Contacts

Firearms and Explosives Branch
Policing Division
Northern Ireland Office
Block B
Castle Buildings
Stormont
Belfast
BT4 3SG
Telephone (028) 9052 0057
Fax (028) 9052 0194
Email feb@nio.x.gsi.gov.uk

Further information about the importation, storage and use of fireworks is available from the following sources but they may not accurately reflect the legislative position in Northern Ireland.

Health and Safety Executive (GB) explosives pages www.hse.gov.uk/explosives

DTI Fireworks pages www.dti.gov.uk/fireworks

The Confederation of British Industry's Explosives Industry Group www.eig.org.uk

Retailers' risk assessment check list

This checklist is designed to help you carry out a risk assessment and plan what actions you need to take. It is not an exhaustive list and you should bear in mind the circumstances and layout of your premises and its surroundings. You may find it useful to read the guidance on safety and risk assessment in the Approved Code of Practice and Guidance.

How could a fire start?				
Danger	Action	Your actions and notes (record here any specific actions you need to take)	Action taken	Comments
naked lights.	<ul style="list-style-type: none"> ✓ Restrict access to the area where fireworks are stored. ✓ Ensure fireworks are kept in their transport packing. ✓ Keep in a locked cabinet or display cabinet. 	Post signs instructing staff to keep the door to the storage area locked to prevent unauthorised entry.		Taking positive action to prevent a fire is the most important of all the control measures you must take.
Sparks from electrical sockets and fittings.	<ul style="list-style-type: none"> ✓ Disconnect electrical supply fitted in display cabinets or use dummy fireworks. ✓ In storerooms, remove electrical equipment (other than light fittings and fire detection equipment) and blank off sockets. 			
Heat causing packaging to catch fire.	<ul style="list-style-type: none"> ✓ Remove space heaters or position them well away from the fireworks. ✓ In storerooms, leave a clear space between the light fitting(s) and the fireworks. 			

Fire involving other goods spreads to the fireworks.	<ul style="list-style-type: none"> ✓ Keep in a dedicated storeroom if possible, otherwise in a fire-resistant store cupboard, cabinet or container. ✓ Keep well away from flammable or combustible articles. 			Flammable substances include white spirit and solvent-based paints. Video tapes and tights/stockings are also highly flammable. Combustible articles include cardboard, paper and wood.
Arson or criminal action.	<ul style="list-style-type: none"> ✓ Keep in secure area. ✓ Keep under supervision. ✓ Review location of the store and security arrangements. 	Seek advice on security from the police and fire prevention from the Fire and Rescue Service		A fire might be started deliberately or by thieves using cutting equipment to gain access to the store.

How could a fire spread and get worse?

Danger	Action	Your actions and notes (record here any specific actions you need to take)	Action taken	Comments
Heat from burning fireworks causes nearby flammable or combustible articles to catch fire.	<ul style="list-style-type: none"> ✓ Remove the flammable or combustible articles if possible. ✓ Locate fireworks well away from flammable substances to reduce risk of fire spreading. ✓ If fireworks are stored in a container outside the building, ensure it is located well away from parked vehicles, pallets etc. 			

<p>Burning fireworks or fragments are thrown into flammable or combustible articles.</p>	<ul style="list-style-type: none"> ✓ Keep the fireworks in their closed transport boxes. ✓ Keep fireworks in a separate storeroom. If this is not possible, keep in fire-resistant cupboards or cabinets. ✓ If the fireworks are stored in a warehouse, ensure there is a barrier between fireworks and flammable items (e.g. a wall, or a wire screen) or enclose items in a wire cage or keep them in an ISO container or other suitable construction that will contain the fragment throw. ✓ Control the amount of fireworks in the shop area. ✓ Ensure the premises are suitable for the quantity of fireworks permitted by your registration or licence. 			<p>Anyone storing large quantities of flammable substances should seek specialist advice.</p>
<p>Fireworks are contaminated by other chemicals or by water and become unstable.</p>	<ul style="list-style-type: none"> ✓ Keep away from caustic substances such as drain cleaners, paint strippers and wood preservatives. ✓ Keep away from fertilisers and products containing peroxides (e.g. fibreglass hardeners). ✓ Keep in a dry place. 			

How could people be harmed if there was a fire?				
<p>Staff or customers are unable to escape because of heat and/or smoke.</p>	<ul style="list-style-type: none"> ✓ Keep all fireworks in a display or storage cabinet. ✓ Ensure the fireworks are located so that escape routes are not; affected by smoke, flames or heat in the event of a fire. ✓ Ensure escape routes are not blocked by other goods. ✓ Ensure all staff are clear what action must be taken if there is a fire. 			<ul style="list-style-type: none"> ✓ Priority must be for staff and customers to evacuate the shop. ✓ Fires should only be fought if people are in danger. ✓ You have a legal duty under The Fire Precautions (Workplace) Regulations (Northern Ireland) 2001 to ensure that any person present in your shop can escape quickly should there be an outbreak of fire.
<p>Fire spreading to neighbouring or adjoining premises.</p>	<ul style="list-style-type: none"> ✓ Locate containers away from neighbouring houses. ✓ If there are flats or residential accommodation in the same building, ensure that there is a separate escape route for residents. ✓ Install fire detection and alarm system. ✓ Ensure that suitable fire doors are fitted etc. 			