

THE LAW ON FIREWORKS

As a retailer of fireworks you should be aware of the Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006 (MSER), the Explosives (Fireworks) Regulations (Northern Ireland) 2002 and the Explosives Act 1875 which place responsibilities on you in relation to your sale of 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.

It is important that you familiarise yourself with the Regulations but for your convenience the main requirements, as they affect sales, are summarised below. They are not a definitive statement of the law.

The Manufacture and Storage of Explosives Regulations (Northern Ireland) 2006

- ❖ 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. Information and an application pack can be downloaded here [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.

Explosives (Fireworks) Regulations (Northern Ireland) 2002

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

- ❖ 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 Licence or Certificate of Registration 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.
- ❖ 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.

Explosives Act 1875

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

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.

Firearms and Explosives Branch
Policing Division
Northern Ireland Office
Knockview Buildings
Stormont
BELFAST BT4 3SL

Tel 028 9052 0057

Fax 028 9052 0194

E-mail feb@nio.x.gsi.gov.uk