POLICY NOTE

THE FIREWORKS (SCOTLAND) AMENDMENT REGULATIONS 2016

SSI 2016/18

The above instrument was made in exercise of powers conferred by section 2 of the Fireworks Act 2003. The instrument is subject to negative procedure.

Policy Objectives

The purpose of this instrument is to amend the definition of "adult firework" in the Fireworks (Scotland) Regulations 2004 in order to reflect categories of fireworks in EU Directives 2007/23/EU and 2013/29/EU. All fireworks will require to be categorised in this way by 4 July 2017. The new definition operates by reference to categories of fireworks set out in the Pyrotechnic Articles (Safety) Regulations 2015.

The 2015 Regulations have amended the definition of "adult firework" in the Fireworks Regulations 2004 to reflect categories of fireworks in the EU Directives. Police Scotland is responsible for enforcing both the Fireworks (Scotland) Regulations 2004 and the Fireworks Regulations 2004 and will therefore be able to work with a similar definition of "adult firework" for both sets of Regulations.

Consultation

To comply with the requirements of section 2(3) of the Fireworks Act 2003, the Health and Safety Executive, the British Fireworks Association, the British Pyrotechnists Association and Police Scotland have been consulted. They were content with the proposed amendments.

Impact Assessments

There are no equality impact issues.

Financial Effects

The Deputy First Minister and Cabinet Secretary for Finance, Constitution and Economy confirms that no Business and Regulatory Impact Assessment (BRIA) is necessary as the instrument has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Directorate for Economic Development

January 2016