

These notes relate to the Fireworks and Pyrotechnic Articles (Scotland) Act 2022 (asp 9) which received Royal Assent on 10 August 2022

FIREWORKS AND PYROTECHNIC ARTICLES (SCOTLAND) ACT 2022

EXPLANATORY NOTES

THE ACT

Overview

Part 6: Exemptions, enforcement and other matters

Miscellaneous

Section 47—Certificates as to proof of having fireworks licence

110. **Section 47** makes it possible for a person authorised by the Scottish Ministers to provide a certificate to court which proves whether or not:
- a person held a fireworks licence on a specific date for the purpose of prosecuting an offence relating to a licence,
 - that a particular item is a firework or pyrotechnic article for the purposes of the Act and, where it is a firework, the category of firework in question.
111. The issuing of a certificate is likely to arise where an item that is thought to be a firework or pyrotechnic article is not properly labelled, has been ignited (and so the label damaged) or is a homemade item and the enforcement authorities have the item tested in advance of the trial. A certificate can also be issued when the presumption that a labelled item is a firework or pyrotechnic article has been challenged.