
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 176 (C. 17)

FIREWORKS

The Fireworks and Pyrotechnic Articles (Scotland)
Act 2022 (Commencement No. 3) Regulations 2023

<i>Made</i>	- - - -	<i>6th June 2023</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>8th June 2023</i>
<i>Coming into force</i>	- -	<i>22nd June 2023</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred on them by section 56(2) and (3) of the Fireworks and Pyrotechnic Articles (Scotland) Act 2022⁽¹⁾.

Citation and commencement

1. These Regulations may be cited as the Fireworks and Pyrotechnic Articles (Scotland) Act 2022 (Commencement No. 3) Regulations 2023 and come into force on 22 June 2023.

Appointed Day

2.—(1) 22 June 2023 is the day appointed for the coming into force of the provisions of the Fireworks and Pyrotechnic Articles (Scotland) Act 2022 specified in column 1 of the table in the schedule (the subject matter of which is described in the corresponding entry in column 2 of the table).

(2) Where a purpose is specified in column 3 of the table in the schedule, the corresponding provision in column 1 comes into force in accordance with paragraph (1) only for that purpose.

St Andrew's House,
Edinburgh
6th June 2023

SIOBHIAN BROWN
Authorised to sign by the Scottish Ministers

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SCHEDULE

Regulation 2

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<i>(provisions of the Act)</i>	<i>(subject matter)</i>	<i>(purpose)</i>
Section 26	Application of Part 4	
Section 27	Firework control zones	
Section 28	Prior consultation on proposals	
Section 29	Publication of decision on proposal	
Section 30	Publicising firework control zones	
Section 31	Review of operation and effectiveness	
Section 32	Power to make further provision	
Section 33	Guidance	
Section 38(1)	Exemptions from offences in Act	For the purpose of paragraphs 5, 12, 18 and 22 of schedule 1.
Schedule 1, paragraphs 5, 12 18 and 22	Exemptions from offences in section 27	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the commencement, on 22 June 2023, of the following provisions of the Fireworks and Pyrotechnic Articles (Scotland) Act 2022 (“the Act”): sections 26, 27, 28, 29, 30, 31, 32, 33 and 38(1) (partially, insofar as that subsection relates to certain provisions of schedule 1), and paragraphs 5, 12, 18 and 22 of schedule 1.

The Act makes provision in relation to regulating the use, supply and possession of fireworks and other pyrotechnic articles. The sections commenced by these Regulations confer powers on local authorities to designate a place within their area as a firework control zone, and make provision as to how those powers are to be exercised. Section 27(2) provides that the use of fireworks within a firework control zone, or the firing of a firework into such a zone, is an offence. Paragraphs 5, 12, 18 and 22 of schedule 1 set out exemptions permitting the use of fireworks in a firework control zone in particular circumstances.

The Bill for the Act received Royal Assent on 10 August 2022. By virtue of section 56 of the Act, sections 50, 51, 52, 53, 56 and 57 came into force on the day following Royal Assent.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Fireworks and Pyrotechnic Articles (Scotland) Act 2022 have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>Instrument No.</i>
Section 1	10 October 2022	S.S.I. 2022/280
Section 2	10 October 2022	S.S.I. 2022/280
Section 20(1)(a), (2)(a) and (3)	10 October 2022	S.S.I. 2022/280
Section 21	10 October 2022	S.S.I. 2022/280
Section 34	6 June 2023	S.S.I. 2023/99
Section 35	6 June 2023	S.S.I. 2023/99
Section 36	6 June 2023	S.S.I. 2023/99
Section 37	6 June 2023	S.S.I. 2023/99
Section 38(1) (partially)	10 October 2022	S.S.I. 2022/280
Section 38(1) (partially)	6 June 2023	S.S.I. 2023/99
Section 38(2) and (3)	10 October 2022	S.S.I. 2022/280
Section 40	10 October 2022	S.S.I. 2022/280
Section 41	10 October 2022	S.S.I. 2022/280
Section 44	10 October 2022	S.S.I. 2022/280
Section 45	10 October 2022	S.S.I. 2022/280
Section 46	10 October 2022	S.S.I. 2022/280
Section 47	10 October 2022	S.S.I. 2022/280
Section 48(1)(b), (6), (7), (8)	10 October 2022	S.S.I. 2022/280
Section 49	10 October 2022	S.S.I. 2022/280
Section 54	10 October 2022	S.S.I. 2022/280
Section 55	10 October 2022	S.S.I. 2022/280
Schedule 1, paragraph 6	6 June 2023	S.S.I. 2023/99
Schedule 1, paragraph 9	10 October 2022	S.S.I. 2022/280
Schedule 1, paragraph 13	6 June 2023	S.S.I. 2023/99
Schedule 1, paragraph 19	6 June 2023	S.S.I. 2023/99
Schedule 1, paragraph 23	6 June 2023	S.S.I. 2023/99
Schedule 1, paragraph 24	6 June 2023	S.S.I. 2023/99
Schedule 1, paragraph 25	10 October 2022	S.S.I. 2022/280
Schedule 1, paragraph 28	10 October 2022	S.S.I. 2022/280
Schedule 1, paragraph 29	6 June 2023	S.S.I. 2023/99

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<i>Provision</i>	<i>Date of Commencement</i>	<i>Instrument No.</i>
Schedule 1, paragraph 30	10 October 2022	S.S.I. 2022/280