
SCOTTISH STATUTORY INSTRUMENTS

2023 No. 99 (C. 10)

FIREWORKS

The Fireworks and Pyrotechnic Articles (Scotland)
Act 2022 (Commencement No. 2) Regulations 2023

<i>Made</i>	- - - -	<i>23rd March 2023</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>27th March 2023</i>
<i>Coming into force</i>	- -	<i>6th 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. 2) Regulations 2023 and come into force on 6 June 2023.

Appointed Day

2.—(1) 6 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
23rd March 2023

ELENA WHITHAM
Authorised to sign by the Scottish Ministers

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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 34	Application of Part 5	
Section 35	Prohibition of pyrotechnic articles in public places	
Section 36	Prohibition of pyrotechnic articles at designated venues or events	
Section 37	Designation of venues or events	
Section 38(1)	Exemptions from offences in Act	For the purpose of paragraphs 6, 13, 19, 23, 24 and 29 of schedule 1.
Schedule 1, paragraphs 6, 13, 19, 23, 24 and 29.	Exemptions from offences in sections 35 and 36	

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the commencement, on 6 June 2023, of the following provisions of the Fireworks and Pyrotechnic Articles (Scotland) Act 2022 (“the Act”): sections 34, 35, 36, 37, and 38(1) (partially, insofar as that subsection relates to certain provisions of schedule 1), and paragraphs 6, 13, 19, 23, 24 and 29 of schedule 1.

The Act makes provision in relation to regulating the use, supply and possession of fireworks and other pyrotechnic articles. The provisions commenced by these Regulations create offences of possession of pyrotechnic articles in certain places. Section 35 relates to all pyrotechnic articles (excluding category F1 fireworks) and applies in all public places. Section 36 relates to all pyrotechnic articles (including all fireworks), and applies at designated events or venues. Section 37 allows the Scottish Ministers, by regulations, to designate events or venues for the purpose of the section 36 offence.

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 38(1) (partially)	10 October 2022	S.S.I. 2022/280
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 9	10 October 2022	S.S.I. 2022/280
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 30	10 October 2022	S.S.I. 2022/280