
STATUTORY INSTRUMENTS

2010 No. 1554

The Pyrotechnic Articles (Safety) Regulations 2010

PART 3

Category 4 fireworks, theatrical pyrotechnic articles and other pyrotechnic articles

Requirements regarding prohibitions, restrictions and withdrawals

38.—(1) Any measure taken by the Health and Safety Executive or an enforcement authority under these Regulations which has the effect of prohibiting or restricting the supply or withdrawal from the market of a pyrotechnic article must comply with the requirements in paragraph (2).

(2) The requirements are—

- (a) the measure must state the exact grounds on which it is based;
- (b) the party concerned must be informed, without delay, of—
 - (i) the measure,
 - (ii) the remedies available to that party, and
 - (iii) the time limits to which the remedies are subject; and
- (c) subject to paragraph (3), the party concerned must have an opportunity to put forward its views in advance.

(3) The requirement in paragraph (2)(c) does not apply if consultation is not possible because of the urgency of the measure to be taken, as justified in particular by public health or safety requirements.