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STATUTORY INSTRUMENTS

2015 No. 1553

**CONSUMER PROTECTION
HEALTH AND SAFETY**

The Pyrotechnic Articles (Safety) Regulations 2015

Made - - - - *19th July 2015*
Laid before Parliament *21st July 2015*
Coming into force *17th August 2015*

THE PYROTECHNIC ARTICLES (SAFETY) REGULATIONS 2015

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8. Technical documentation and conformity assessment
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11. Labelling of pyrotechnic articles other than pyrotechnic articles for vehicles
12. Labelling of pyrotechnic articles for vehicles
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- 34. Prohibition on making pyrotechnic articles for vehicles available to members of the general public
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- 37. Identification of economic operators
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- 38B Obligations which are met by complying with obligations in the Directive that relate to the registration number
- 38C Obligations which are met by complying with obligations in the Directive that relate to safety data sheet
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- 45. Presumption of conformity of approved bodies
- 46. Monitoring
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- 50. Register of approved bodies
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61. Restrictive measures
62. Offences
63. Penalties
64. Defence of due diligence
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66. Time limit for prosecution of offences
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 74. Transitional provisions
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 75. Consequential revocations, savings and amendments
- Signature

SCHEDULE 1 — Categories of pyrotechnic article

1. Fireworks
2. Category F2 fireworks are fireworks which present a low hazard...
3. Category F3 fireworks are fireworks which present a medium hazard,...
4. Category F4 fireworks are fireworks which present a high hazard,...
5. Theatrical pyrotechnic articles
6. Category T2 theatrical pyrotechnic articles are theatrical pyrotechnic articles which...
7. Other pyrotechnic articles
8. Category P2 other pyrotechnic articles are pyrotechnic articles, other than...

SCHEDULE 2 — Essential safety requirements

1. (1) Each pyrotechnic article must attain the performance characteristics specified...
2. Fireworks
3. Other pyrotechnic articles
4. Ignition devices

SCHEDULE 2A — Conformity Assessment Procedures (Annex II to the Directive)

PART 1 — Module B: Type Examination

1. Type examination is the part of a conformity assessment procedure...
2. Type examination shall be carried out as an assessment of...
3. The manufacturer shall lodge an application for a Type examination...
4. The approved body shall: For the pyrotechnic article:
 - 4.1 Examine the technical documentation and supporting evidence to assess the...
 - 4.2 Verify that the specimen(s) have been manufactured in conformity with...
 - 4.3 Carry out appropriate examinations and tests, or have them carried...
 - 4.4 Carry out appropriate examinations and tests, or have them carried...

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- 5.1 The manufacturer shall affix the UK marking, and, under the...
 - 5.2 The manufacturer shall draw up a written declaration of conformity...
 6. The manufacturer shall, for a period ending 10 years after...
 7. Each approved body shall inform the Secretary of State of...
- PART 5 — Module G: Conformity based on unit verification
1. Conformity based on unit verification is the conformity assessment procedure...
 2. Technical documentation The manufacturer shall establish the technical documentation and...
 3. Manufacturing The manufacturer shall take all measures necessary so that...
 4. Verification An approved body chosen by the manufacturer shall carry...
 5. UK marking and declaration of conformity
- 5.1 The manufacturer shall affix the UK marking and, under the...
 - 5.2 The manufacturer shall draw up a written declaration of conformity...
- PART 6 — Module H: Conformity based on full quality assurance
1. Conformity based on full quality assurance is the conformity assessment...
 2. Manufacturing The manufacturer shall operate an approved quality system for...
 3. Quality system
- 3.1 The manufacturer shall lodge an application for assessment of his...
 - 3.2 The quality system shall ensure compliance of the pyrotechnic articles...
 - 3.3 The approved body shall assess the quality system to determine...
 - 3.4 The manufacturer shall undertake to fulfil the obligations arising out...
 - 3.5 The manufacturer shall keep the approved body that has approved...
4. Surveillance under the responsibility of the approved body
- 4.1 The purpose of surveillance is to make sure that the...
 - 4.2 The manufacturer shall, for assessment purposes, allow the approved body...
 - 4.3 The approved body shall carry out periodic audits to make...
 - 4.4 In addition, the approved body may pay unexpected visits to...
 5. UK marking and declaration of conformity
- 5.1 The manufacturer shall affix the UK marking and, under the...
 - 5.2 The manufacturer shall draw up a written declaration of conformity...
 6. The manufacturer shall, for a period ending 10 years after...
 7. Each approved body shall inform the Secretary of State of...

SCHEDULE 3 — Labelling: required information

1. Labelling
2. Additional instructions and safety information
3. The labelling of sparklers must also display the words “Warning:...
4. The labelling of a theatrical pyrotechnic article must also display...
5. The labelling of a category P1 other pyrotechnic article or...
6. In paragraph 3, “sparkler” means a rigid wire article partially...

SCHEDULE 3A — Declaration of Conformity (Annex III to the Directive)

- (1) UK registration number: (2) Product, batch or serial number:...
- Signed for and on behalf of:
[place and date of issue]:
[name, function] [signature]:

SCHEDULE 4 — Persons with specialist knowledge

1. Person with specialist knowledge: category F4 fireworks

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2. Person with specialist knowledge: category T2 theatrical pyrotechnic articles
3. Person with specialist knowledge: category P2 other pyrotechnic articles
4. Person with specialist knowledge: officers of enforcing authorities
5. Interpretation

SCHEDULE 5 — Approved body requirements

1. A conformity assessment body must be established under the national...
2. A conformity assessment body must be a third party body...
3. (1) A conformity assessment body, its top level management and...
4. A conformity assessment body, its top level management and the...
5. A conformity assessment body, its top level management and the...
6. A conformity assessment body must ensure that the activities of...
7. A conformity assessment body and its personnel must carry out...
8. A conformity assessment body must ensure that it, either on...
9. A conformity assessment body must have at its disposal—
10. A conformity assessment body must have the means necessary to...
11. The personnel responsible for carrying out conformity assessment activities must...
12. A conformity assessment body must be able to demonstrate the...
13. The remuneration of the top level management and the personnel...
14. A conformity assessment body must have, and must satisfy the...
15. A conformity assessment body must ensure that its personnel observe...
16. Paragraph 15 does not prevent the personnel from providing information...
17. A conformity assessment body must participate in, or ensure that...

SCHEDULE 6 — Operational obligations of approved bodies

1. A notified body An approved body must carry out conformity...
2. A notified body An approved body must carry out conformity...
3. A notified body An approved body must perform its activities...
4. A notified body An approved body must respect the degree...
5. An approved body carrying out a conformity assessment must—
- 5A (1) Pyrotechnic articles must be labelled with a UK registration...
6. From IP completion day— (a) an entry made in the...
- 6A (1) Entries made in the register from IP completion day...
7. Where an approved body finds that essential safety requirements or...
8. Where, in the course of the monitoring of conformity following...
9. Where the notified body the approved body has required a...
10. Paragraph 11 applies where a notified body an approved body...
11. Where this paragraph applies, the notified body the approved body...
12. A notified body An approved body must inform the Secretary...
13. A notified body An approved body must make provision in...
14. An approved body must provide other bodies approved under these...
15. An approved body must participate in the work of any...

SCHEDULE 7 — Enforcement powers of weights and measures authorities, district councils and the Secretary of State under the 1987 Act

1. Enforcement powers under the 1987 Act
2. Modifications to the 1987 Act

SCHEDULE 8 — Enforcement powers of the Health and Safety Executive under the 1974 Act

1. Enforcement powers under the 1974 Act

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2. Modifications to the 1974 Act

SCHEDULE 9 — Compliance, withdrawal and recall notices

1. Compliance notice
2. Withdrawal notice
3. Recall notice
4. Interpretation

SCHEDULE 10 — Consequential amendments to the Fireworks Regulations 2004

1. The Fireworks Regulations 2004 are amended as set out below...
2. In regulation 3 (interpretation)— (a) for the definition of “adult...
3. In regulation 5 (prohibition of possession of category 4 fireworks),...
4. In regulation 6(1)(c) (exceptions to regulations 4 and 5), for...
5. In regulation 9 (licensing of fireworks suppliers)—
6. In regulation 10 (information about fireworks)— (a) in paragraph (1),...

SCHEDULE 11 — Consequential amendments to the Explosives (Fireworks) Regulations (Northern Ireland) 2002

1. The Explosives (Fireworks) Regulations (Northern Ireland) 2002 are amended as...
2. In regulation 2 (interpretation)— (a) after “In these Regulations—”, insert —...
3. In regulation 4(1) (prohibition on the possession, purchase, sale, acquisition,...
4. In regulation 7 (production of licence)— (a) in paragraph (2),...
5. In regulation 11(1)(a) (display of notice and certificate)—
6. In regulation 12 (transactions in fireworks), for “the fireworks in...
7. In Schedule 1 (fireworks exempt from the provisions of regulation...
8. Omit Schedule 2.

Explanatory Note

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