
STATUTORY INSTRUMENTS

2015 No. 1553

The Pyrotechnic Articles (Safety) Regulations 2015

PART 2

Obligations of economic operators

Chapter 6

All economic operators

[^{F1} Expiry of regulations 38A to D

38E.—(1) Subject to paragraph (2), regulations 38A to 38C cease to have effect at the end of the period of [^{F2}four years] beginning with IP completion day.

(2) Notwithstanding the expiry of regulation 38A—

- (a) any pyrotechnic article which was placed on the market pursuant to regulation 38A may continue to be made available on the market on or after the expiry of regulation 38A;
- (b) any obligation to which a person was subject under regulation 38A in respect of a pyrotechnic article placed on the market pursuant to regulation 38A continues to have effect after the expiry of regulation 38A, in respect of that article;
- (c) any obligation to which a person was subject under regulations 38B and 38C in respect of a pyrotechnic article pursuant to regulations 38B and 38C continues to have effect after the expiry of regulations 38B and 38C, in respect of that article.

(3) Subject to paragraph (4), regulation 38D ceases to have effect at the end of the period of [^{F3}four years] beginning with IP completion day.

(4) Where a conformity assessment procedure has been completed pursuant to regulation 38B in relation to a pyrotechnic article prior to the expiry of regulation 38D, regulation 38D continues to apply in respect of that article where—

- (a) the manufacturer arranges for the EU-Type examination certificate and any annexes to be transferred to an approved body;
- (b) the approved body referred to in sub-paragraph (a) accepts responsibility for the EU-Type examination certificate; and
- (c) the approved body issues a Type-examination certificate relying, or relying in part, on any examinations or tests undertaken prior to the issue of the EU-Type examination certificate.

(5) In paragraph (4) “EU-Type examination certificate” means a certificate issued after an EU-Type examination has been carried out in accordance with a conformity assessment procedure set out in Annex II of the Directive.]

Changes to legislation: The Pyrotechnic Articles (Safety) Regulations 2015, Section 38E is up to date with all changes known to be in force on or before 15 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** Regs. 38A-38F inserted (E.W.S.) (31.12.2020) by The Product Safety and Metrology etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/696), reg. 1, **Sch. 19 para. 22** (with Sch. 19 para. 36) (as amended by S.I. 2020/676, regs. 1(1), 2 and S.I. 2020/1460, reg. 1(4), **Sch. 3 para. 11(3)**); 2020 c. 1, **Sch. 5 para. 1(1)**
- F2** Words in reg. 38E(1) substituted (E.W.S.) (31.12.2022) by The Product Safety and Metrology (Amendment and Transitional Provisions) Regulations 2022 (S.I. 2022/1393), regs. 1(1), 2, **Sch. 1 para (i)**
- F3** Words in reg. 38E(3) substituted (E.W.S.) (31.12.2022) by The Product Safety and Metrology (Amendment and Transitional Provisions) Regulations 2022 (S.I. 2022/1393), regs. 1(1), 2, **Sch. 1 para (i)**

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Changes and effects yet to be applied to :

- reg. 38E substituted by [S.I. 2024/696 reg. 10\(5\)](#)