



Notification Number: 2004/34/UK

The Firework (Safety) (Amendment) Regulations 2004

Date received : 05/02/2004
End of Standstill : 06/05/2004
Issue of comments by : Commission

Message

Message 001

Communication from the Commission - SG(2004) D/50253

Directive 98/34/EC

Notifikation - Notifizierung - Γνωστοποίηση - Notificación - Notifikation - Notifica - Kennisgeving - Notificação - Ilmoitus - Anmälan : 2004/0034/UK.

Fristerne indledes ikke - Kein Fristbeginn - Καμμία έναρξη προθεσμίας - Does not open the delays - No abre el plazo - N'ouvre pas de délais - Non fa decorrere la mora - Geen termijnbegin - Nao inicia o prazo - Määräaika ei ala tästä - Inleder ingen frist.

(MSG: 200400253.EN)

1. Structured Information Line

MSG 001 IND 2004 0034 UK EN 06-05-2004 05-02-2004 UK NOTIF 06-05-2004

2. Member State

United Kingdom

3. Department Responsible

Department of Trade and Industry: Standards and Technical Regulations Directorate

3. Originating Department

Department of Trade and Industry: Consumer and Competition Directorate

4. Notification Number

2004/0034/UK - C10C

5. Title

The Firework (Safety) (Amendment) Regulations 2004

6. Products Concerned

The products with which these proposed Regulations are concerned are "air bombs" and "mini rockets" (types of firework).

7. Notification Under Another Act

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8. Main Content

To amend the Fireworks (Safety) Regulations 1997 to include (a) a prohibition on the supply of air bombs to the general public; (b) tighten up (modify) the definition of "mini rockets"; and, (c) create a strict liability offence for suppliers of fireworks to those under the age of 18.

9. Brief Statement of Grounds

In respect of:

(a) Air bombs are responsible in the UK for a number of injuries caused by fireworks – and are the preferred firework for anti social elements.

(b) The UK industry recognise that some importers and manufacturers may try to get round the current definition of mini rockets by manufacturing/ importing similar products. The smaller rockets not covered/ defined as mini rockets are either still unsafe by virtue of their sensitivity to wind or their attractiveness to irresponsible persons.

(c) Fireworks are still being supplied to those under the age of 18 - and it is expected that by changing the law to scrap the "due diligence" defence to that of "strict liability", retailers will adopt a more proactive approach to determine the age of prospective buyers i.e. ask for age verifying identification.

10. Reference Documents - Basic Texts

a) Section 11 and 12 of the Consumer Protection Act 1987 and the Fireworks Safety Regulations 1997:

http://www.hmso.gov.uk/cgi-bin/htm_hl.pl?DB=hmso-new&STEMMER=en&WORDS=fireworks+safety+regulations+1997+&COLOUR=Red&STYLE=s&URL=http://www.hmso.gov.uk/si/si1997/97229401.htm#muscat_highlighter_first_n

c) 2003/0327/UK: Fireworks (Safety) Regulations 1997

11. Invocation of the Emergency Procedure

No

12. Grounds for the Emergency

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13. Confidentiality

No

14. Fiscal measures

No

15. Impact assessment

The impact assessment is attached.

16. TBT and SPS aspects

TBT Aspect:

No - The draft does not have a significant effect on international trade.



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SPS Aspect

No - The draft is not a sanitary or phytosanitary measure in the sense of Annex A of the SPS Agreement.

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Undersecretariat of Foreign Trade General Directorate of Standardisation
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