



## **ABERDEENSHIRE COMMUNITY SAFETY PARTNERSHIP**

Aberdeenshire's Community Safety Partnership, which includes police, fire, consumer protection, local community safety groups and NHS Grampian, is hailing the issue of new regulations on fireworks as a success story.

Willie Munro, Chair of the Community Safety Steering Group for Aberdeenshire said: "Last year's Fireworks Act opened the way for these very welcome regulations which add to the controls on the sale, possession and use of fireworks. Local authorities, police and fire authorities, community safety groups and politicians have over a number of years called for measures to limit the misuse of fireworks and we hope these new regulations will have a significant effect on the problem.

Community Safety Groups throughout Aberdeenshire are writing to firework retailers again this year to encourage them not to sell to under 21s in an attempt to keep fireworks out of the hands of under 18s. Last year co-operation was promised by a number of retailers who displayed our poster as a disincentive to potential underage purchasers."

Paul Bygrave, Consumer, Protection Manager said,

"The new rules, several of which are in force already have the following effect:

- Retailers will now have to take positive steps to ascertain the age of young people who want to buy fireworks by asking for proof that they are 18 years of age.
- People under the age of 18 are prohibited from having fireworks in their possession in a public place.
- From 1 January 2005 shops that wish to sell fireworks outwith four short periods during the year will need a licence from the local authority to do so.
- From 7 October this year it will become illegal to let fireworks off after 11:00 pm except on Bonfire Night when firework time finishes at 12:00am and at New Year when it finishes at 1:00am on New Year's day. Diwali and the Chinese New Year also have similar extensions.
- Display fireworks now have a 120db noise limit.

We are advising retailers by letter of the new legislation as they register with us for the storage of fireworks and plan to visit them all over the coming weeks to reinforce the messages on safe storage, underage sales and noisy fireworks."

Assistant Divisional Officer Ally Birkett of Grampian Fire and Rescue Service said

"Fireworks are explosives not toys. If used incorrectly or inappropriately they have the potential to kill or seriously injure. The safety of the public is our main concern, don't take risks."

Sergeant David Dunnett of Grampian Police Crime Reduction Unit said:

“The problem of young people setting off fireworks has been growing in recent years and we are glad to see that the new rules emphasise the need for retailers to make sure that fireworks are sold only to those over 18 years of age. They have a significant role to play in keeping fireworks out of the hands of young people and make Bonfire night a safer time for the young and a less anxious one for the elderly. We see this as a positive measure in tackling anti-social behaviour, one of our objectives in the Safer Scotland campaign and we will be co-operating with Consumer Protection to make the new law as effective as possible”.

## **Background**

The new regulations referred to are:

- the Fireworks (Safety) Amendment Regulations 2004 which:
  - a) remove the word “apparently” from the prohibition on supplying fireworks to persons “apparently under the age of 18 years”. To avoid conviction for selling fireworks to under 18s retailers will now have to show that they exercised all due diligence and took reasonable precautions to avoid doing so;
  - b) ban the sale of airbombs.
- the Fireworks Regulations 2004 introduce:
  - a) a ban on persons under the age of 18 being in possession of fireworks in a public place
  - b) a ban on the possession by anyone other than a professional display operator or a distributor of category four fireworks in a public place;
  - c) a 120db noise limit on display fireworks (Category Three)
  - d) a licensing scheme for shops that wish to sell fireworks outwith the usual periods
  - e) a new notice which must be displayed by firework retailers which warns that selling fireworks to under 18s and possession of fireworks in a public place by under 18s is illegal.
- the Fireworks (Scotland) Regulations 2004 introduce:
  - a) a night time ban on letting off fireworks between 11:00pm and 7:00 am each day except November 5 (extends to midnight); Diwali (extends to 1:00am the following morning; Hogmanay (extends to 1:00am the following day and the first Day of the Chinese New Year (extends to 1:00am the following day)
  - b) a power for local authorities, if they wish, to grant dispensations to professional display operators to use fireworks during the curfew;
  - c) the facility for local authorities to put on displays during the curfew.

## **Contacts**

Paul Bygrave, Aberdeenshire Consumer Protection  
Gordon House  
Blackhall Road  
Inverurie

Tel 01467 628123,  
Mob 07771861866