



FIREWORKS ACT 2004

FIREWORKS (VARIATION OF RESTRICTIONS ON FIREWORK DISPLAYS) ORDER 2009

Approved by Tynwald

17th November 2009

Coming into operation

1 December 2009

The Department of Home Affairs makes this Order under section 4(5)(c) of the Fireworks Act 2004¹.

1 Title

This is the Fireworks (Variation of Restrictions on Firework Displays) Order 2009.

2 Commencement

If approved by Tynwald², this Order comes into operation on 1 December 2009.

3 Exemption from section 4(1) of the Fireworks Act 2004

Subject to article 4 (conditions), the persons or classes of persons specified in Schedule 1 are prescribed for the purposes of section 4(5)(c) of the Fireworks Act 2004.

4 Conditions (notice requirements)

(1) No later than 14 days before any fireworks are let off, the responsible person must—

- (a) ensure that notice, in the form specified in Schedule 2, is received by the Department of Home Affairs;

¹ 2004 c.9

² As required by section 4(9) of the Act

Price band: A £1.00

- (b) ensure that at least 4 copies of that notice are displayed in the vicinity of the place where the fireworks will be let off; and
 - (c) inform persons in the vicinity, who may be affected by the letting off of the fireworks, of the time and place where the fireworks will be let off.
- (2) In this article (and in Schedule 2), “responsible person” means a person aged 18 or over who—
- (a) is specified in Schedule 1; or
 - (b) is authorised by a person or class of persons specified in Schedule 1, to organise the letting off of fireworks on behalf of that person or class of persons.

5 Revocation

The Fireworks (Variation of Restrictions) Order 2008³ is revoked.

Made 29th October 2009



Minister for Home Affairs

³ SD 533/08

SCHEDULE 1

[article 3]

PERSONS OR CLASSES OF PERSONS SPECIFIED FOR THE PURPOSES OF SECTION 4(5)(C) OF THE FIREWORKS ACT 2004

- 1 Bhartiya Manx Samaj
- 2 Castletown Festival Committee
- 3 Kirk Braddan Parochial Church Council
- 4 Peel Carnival Committee
- 5 Ramsey National Week Organising Committee

SCHEDULE 2

[article 4]

FORM OF NOTICE TO BE RECEIVED BY THE DEPARTMENT OF HOME AFFAIRS / DISPLAYED IN THE VICINITY OF THE PLACE WHERE FIREWORKS WILL BE LET OFF

"Department of Home Affairs

Section 4(5)(c) of the Fireworks Act 2004

Fireworks Display Notice

Details of the responsible person

Title: (Mr/Mrs/Miss, etc.)		Forename:		Surname:	
Address:					
				Postcode:	
Daytime tel. no.:		Mobile:			
Email:					
(If applicable) Person / class of persons on behalf of whom the responsible person is acting:					

Details of the firework display

Date of display:		Start time of display:		Finish time of display:	
Alternative date of display in event of postponement:		Start time of display:		Finish time of display:	
Location of display:					
			Postcode:		
Approximate number of persons attending the display:					

The requirements of section 4(1) of the Fireworks Act 2004 do not apply to the letting off of fireworks at this display, by virtue of the Fireworks (Variation of Restrictions on Firework Displays) Order 2009 [SD 801/09]."

EXPLANATORY NOTE

(This note is not part of the Order)

Article 3 of, and Schedule 1 to, this Order prescribe the persons who are exempt from the requirements of section 4(1) of the Fireworks Act 2004 (notice requirements in respect of firework displays).

Article 4 details the conditions (alternative notice requirements) to which the exemption is subject. The conditions must be satisfied no later than 14 days before the firework display. The responsible person must ensure that notice, in the form specified in Schedule 2, is received by the Department of Home Affairs and that at least 4 copies of that notice are displayed in the vicinity of the place where the fireworks will be let off. The responsible person must also notify persons in the vicinity, who may be affected by the letting off of the fireworks, of the time and place where the fireworks will be let off.

“Responsible person” means a person aged 18 or over who is specified in Schedule 1 or is authorised by a person or class of person in that Schedule, to organise the letting off of the fireworks on their behalf.

This Order revokes and replaces the Fireworks (Variation of Restrictions) Order 2008 so as to add Kirk Braddan Parochial Church Council and the Ramsey National Week Organising Committee to the list of persons who are exempt from the notification requirements in section 4(1) of the Fireworks Act 2004.