



# Department of Home Affairs

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## **FIREWORKS ACT 2004 - INFORMATION**

From Sunday 19th December 2004 it became illegal to let off a firework outside the period surrounding bonfire night and the New Year without first notifying the Department of Home Affairs and the public.

The changes also included a restriction on the supply of fireworks outside similar periods. There are a number of exemptions to the requirements of the Act including specified bodies and public authorities putting on a firework display along with Her Majesty's Armed Forces. Some indoor fireworks and sparklers are exempt from the Act and, therefore, can be used at any time.

### **Notification of firework displays**

The Isle of Man Fire and Rescue Service will, from 1<sup>st</sup> April 2011, be handling the administration of fireworks notifications on behalf of the Department of Home Affairs.

Individuals will have to notify the IoM Fire and Rescue Service of the time, date and location of where the firework(s) will be let off, and put a notice in the paper. The notification must be submitted to the IoM Fire and Rescue Service on a prescribed form as soon as possible and in any event no later than 10 days before the fireworks are to be discharged. It is important to note that:

- notification forms must either be delivered to the IoM Fire and Rescue Service or sent by recorded delivery.
- notifications not submitted on the prescribed form will be rejected.

The notice is only valid for the date stated on it. If, due to inclement weather or other circumstances, the event is postponed then it may be held on the second date notified for that purpose. If both dates are unsuitable a new notification must be made.

Individuals notifying of a display being held at a location other than a private address are requested to provide a site plan which should be sent to the IoM Constabulary and the IoM Fire and Rescue Service. There is no requirement to provide this information.

The person notifying the IoM Fire and Rescue Service must publish a notice in a newspaper in the Island not later than 10 days before the firework(s) are to be discharged. The IoM Fire and Rescue Service will notify details of the display to the IoM Constabulary, the Emergency Services Joint Control Room and the Coastguards.

People who use a firework outside the prescribed times without notifying the IoM Fire and Rescue Service could receive a fine of up to £2,500.

### **Restrictions on the sale of fireworks**

The legal age for buying a firework in the Isle of Man is 18.

A firework cannot be sold by businesses except during the following periods -

- the period beginning on the 25th October and ending on the 5th November; and
- the period beginning on the 26th December and ending on the 31st December

Any person who contravenes this is guilty of an offence and could receive a fine of £2,500.

This does not apply to the sale of a firework to -

- to a professional organiser or professional operator of firework displays;
- to a person whose trade or business is or includes the supply of fireworks;
- a public authority for a firework display;
- a person who has given notice to the IoM Fire and Rescue Service;
- a person who will use the firework as a special effect in the theatre, on film or on television;
- a person authorised by the Office of Fair Trading for the purpose of carrying out tests as to the safety of fireworks
- any establishment of the naval, military or air forces of the Crown for a fireworks display.

Firework(s) with a value exceeding £25 are exempt from the limited dates for the sale of fireworks.

### **Restrictions on the display of fireworks**

Fireworks can only be discharged without notification to the IoM Fire and Rescue Service during:

- the period beginning at 00.01am on the Friday which falls at least two clear days before 5 November and ending at 00.01am on the Monday following 5 November; and
- the period beginning at 00.01 am on the 28<sup>th</sup> December and ending at 00.01am on the Monday following 1 January.

The limitation on dates does not apply to the letting off a firework by a public authority or the naval, military or air forces.

The forms prescribed under the Act for use are the:

- **Fireworks Display notification** - the form a person will need to complete and send to the IoM Fire and Rescue Service to notify of the intention to set off a firework
- **Fireworks Display notice to the newspapers** – the form that a person will need to complete and send to the newspapers to notify the public of the intention to set off a firework
- **Notification Receipt Form** - that will need to be completed by the IoM Fire and Rescue Service and will be taken by the person to a retailer to purchase firework(s).

Individuals are requested that if the location of where the fireworks are to be let off is close to one of the following they should consider notifying them out of courtesy:

- Hospital;
- Veterinary Practice;
- Retirement Home;
- Petrol Station;
- Airport;
- Boarding Kennels or Cattery;
- Riding Stables;
- Farm with livestock; and
- Neighbours with domestic animals.