

Firework Storage – An introduction to the Law

Devon Trading Standards Service is responsible for licensing and enforcement of the law on storage of explosives in retail premises, sales of fireworks, the safety of fireworks and age-restrictions on sales. There are various regulations, guidance and codes of practice on the subject, all designed to minimise the risk of uncontrolled fire or explosion and thereby keeping you, your staff, your customers and the general public as safe as possible – this article includes a link to a summary of these requirements.

The Manufacture and Storage of Explosives Regulations 2005 came into effect at the end of April 2005 and replaced most provisions of the Explosives Act 1875. There are three main aims to the regulations:

- To prevent fire and explosion
- To prevent communication of any fire or explosion, and
- To protect people from the effects of fire or explosion.

To meet these aims the regulations were accompanied by a comprehensive code designed to help businesses comply with the safety requirements. An Approved Code of Practice (ACOP) has a particular legal status - it is open to someone who has a duty under the regulations to choose not to follow the guidance and to comply with the regulations in another way. However, in the event of a prosecution, they would need to be able to demonstrate that the alternative was at least as safe as the method set out in the ACOP. In practice this means that the safety of fireworks storage on a premises is normally based on following the recommendations in the ACOP, together with a suitable Risk Assessment.

Businesses employing five or more people are required by law to have a record of a fire risk assessment . An explosives-specific risk assessment form (and useful guidance) may be viewed from this link:

<http://www.hse.gov.uk/explosives/information/manufacturestorage.htm>

During firework inspections, officers from this Service seek to ensure compliance with all the relevant safety requirements. If you

are registered to sell fireworks please view the full guidance available on our [business resources page](#)

OTHER SOURCES OF INFORMATION:

www.hse.gov.uk/explosives

<http://fireworkssafety.direct.gov.uk/index.html>

If you think these requirements affect your business and you require further information, please call the business advice line on 01392 381381. or email us at tsadvice@devon.gov.uk