

# Fireworks registration and storage

## Trading Standards Information

[www.southwark.gov.uk](http://www.southwark.gov.uk)

### 1. Introduction

Fireworks contain explosives and must be stored safely and securely. Anyone wishing to store explosives must either register with the council or, for larger quantities obtain a licence. Most small retailers will find that the registration provisions are sufficient for the level of stock that they keep.

This leaflet details the relevant requirements for **registration only**. You must also be aware that regulations affect what types of fireworks you can sell, their labelling and what notices you must display. Please refer to our leaflet entitled 'Firework safety and age-restricted sales'.

### 2. New storage regulations

The Manufacture and Storage of Explosives Regulations 2005 (MSER) are now in force and largely replace the Explosives Act 1875. Fees have increased and are listed in section 15. If your old registration has expired your application has to be treated as a new initial registration.

Registration is now granted to a person (or company) and not to the site. You must not store any fireworks until you have been granted registration and the council can now refuse to register you if it considers you to be an unfit person or if it considers the proposed storage site is unsuitable.

### 3. New restrictions on when you can sell

You are only permitted to supply or expose for supply adult fireworks at the following times of year—

- From the 15<sup>th</sup> of October to the 10<sup>th</sup> of November
- From the 26<sup>th</sup> to the 31<sup>st</sup> of December
- The first day of the Chinese New Year and the three days immediately preceding it (2007 date is 18 February)
- The day of Diwali and the three days immediately preceding it (2006 date is 21 October)

If you wish to **supply** them at any other times a separate £500 licence is required. You can **store** fireworks throughout the year but this is not recommended as they may not have a long shelf life.

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#### 4. New information retention requirement

You must retain details of the name and address of your firework supplier, the date you obtained the fireworks and the total amount of explosives contained in them. You must produce this information to local authority officers if requested.

#### 5. Explosives classification and Net Explosive Quantity (NEQ)

The majority of fireworks that retailers will stock are classified as Hazard Type 4 (HT4) explosives. Some larger fireworks may be more dangerous and be classified Hazard Type 3 (HT3). It is important to know which type you have as the quantities permitted to be stored depend on the Hazard Type so check with your supplier if you are unsure.

The maximum quantities in the Regulations now refer to Net Explosive Quantity (NEQ). This is the quantity of explosive contained within the fireworks and not the gross weight. If the NEQ weight is not available, then it is presumed to be one quarter (25%) of the gross weight of the fireworks excluding packaging.

#### 6. What quantities can I store when I am registered?

The total amount permitted (NEQ) to be stored at the premise is;

- Up to 250kg (just under 40 stone) of Hazard Type 4
- Up to 100kg of a combination of Hazard Type 3 and 4
- Up to 100kg of Hazard Type 3

Stock may be held in a storage area and in the sales area. The amount that may be stored in the sales area depends on how big that area is. For example a small shop with a sales area up to 20 square metres can store up to 12.5kg NEQ / 50kg gross (just under 8 stone) of fireworks in the shop front area.

Shops having a larger sales area can store more but individual display cabinets must hold no more than 12.5kg NEQ / 50kg gross. See section 15 for details.

If more than 250kg (NEQ) is to be stored stricter conditions apply and a licence will be needed.

#### 7. Are there any exemptions to registration?

Registration is not required if;

- the total net explosive quantity (NEQ) of the fireworks you intend to store is 5kg or less. The NEQ quantities may be indicated on the outer packaging of fireworks or your suppliers may provide the information. If the NEQ is not available the law assumes it to be one quarter of the gross weight of the fireworks (excluding packaging) so you can store 20kg gross of fireworks without registration; or
- you only store the fireworks for 24 hours or less at the premises (you must be able to prove this).

Note that even if you are exempt from registration you must still comply with the **safety requirements** in the regulations concerning fire prevention and control.

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## 8. What are the safety requirements in the regulations?

You must take appropriate measures to:

- Prevent fire or explosion
- Limit the extent of fire or explosion including measures to prevent the spreading of fires and the communication of explosives from one location to another and
- To protect persons from the effects of fire or explosion

Also, no person who stores explosives shall permit a person under the age of 18 to work in that storage area except under appropriate supervision.

## 9. How should I store fireworks in the shop sales area?

- Do not allow smoking anywhere where fireworks are stored or sold.
- Store them in a display case or storage cupboard or cabinet. These must be designed to protect against sparks or other sources of ignition.
- Lights or electrical fittings in display cabinets/cases must be disconnected
- Do not store any other goods with fireworks.
- Keep the display cabinets/cases in a designated area where no unauthorised person could access them and well away from sources of ignition such as heaters.
- Avoid putting glass showcases containing fireworks in your shop window. If you want a window display use empty 'dummy' packets.

## 10. How should I store fireworks kept elsewhere?

All explosives must be stored in a suitable place depending on the quantity and type of explosives being kept. The key principles are to ensure that the store, container or cupboard is, where appropriate:

- Suitably waterproof
- Designed to ensure that explosives do not come into contact with substances with which they are incompatible
- Kept clean with steps taken to prevent grit entering unpackaged explosives
- Used only to keep explosives and tools/implements connected with the keeping of explosives

Suitable precautions must be taken to exclude possible sources of ignition such as matches, smoking materials, grit, rust and other contaminants.

Fireworks should be kept in closed transport packaging and only opened when needed.

Don't put loose fireworks into metal dustbins. There is a danger that the articles will become mixed up or damaged with loose compound collecting at the bottom of the dustbin.

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Where fireworks are kept in a warehouse (or similar room or building) that holds significant quantities of other combustible materials, the storage should be either:

- in an ISO transport container (or similar fully enclosed metal structure)
- using storage cupboards or cabinets
- building a structural partition
- using a wire mesh screen or cage or
- metal dustbins (provided fireworks are kept in their transport packaging)

**11. Storage adjoining or in the same building as domestic/sleeping accommodation**

If more than 75kg (NEQ) of Hazard Type 4 are kept in a store within or adjoining, a building containing domestic/sleeping accommodation, suitable steps must be taken to protect residents of those premises in the event of a fire. The following precautions must be taken:

- a fire detection system must be installed in the shop;
- the domestic parts of the building must have access/exit routes that are fire-separated from those used for the firework store;
- there must be suitable fire separation between the firework store and the domestic accommodation; and
- the store must be closed off and secured from the domestic part of the property in order to prevent unauthorised access and to help prevent accidental introduction of sources of ignition.

**12. What happens if I don't comply with these requirements?**

Failure to comply with these Health & Safety requirements could result in goods being seized and prosecution. On conviction the Courts may impose fines of up to £5000.

**13. Further information**

If you require further assistance on these requirements, or would like additional related information leaflets, please contact our Business Help Desk at the address given. To obtain a registration application form please contact Southwark's Licensing Section ☎020 7525 2000

**14. Fees**

Registration	One year	£72
	Two years	£108
	Three years	£145
Variations/transfers		£31

Renewal	One year	£36
	Two years	£72
	Three years	£105

## 15. Quantities in sales area

The amount that may be stored in the sales area depends on how big the floor space of that area is. The table below gives details. Note that only a maximum of 12.5kg explosives (50kg gross) may be kept in any one cabinet.

Floor area of sales area (sq. metres)	Quantity of explosives (kilograms NEQ)	Assumed gross weight (if unable to determine NEQ weight) (kg)
not exceeding 20	12.5	50
not exceeding 40	15	60
not exceeding 60	20	80
not exceeding 80	25	100
not exceeding 100	30	120
not exceeding 150	35	140
not exceeding 200	40	160
not exceeding 250	45	180
not exceeding 300	50	200
not exceeding 350	55	220
not exceeding 400	60	240
not exceeding 450	65	260
not exceeding 499	70	280
equal to or exceeding 500	75	300