

L.N. 205 of 2014

**EXPLOSIVES ORDINANCE
(CAP. 33)**

**Control of Fireworks and other Explosives
(Amendment) Regulations, 2014**

IN exercise of the powers conferred by article 22 of the Explosives Ordinance, the Minister for Home Affairs and National Security has made the following regulations:-

Citation and
commencement.

S.L. 33.03

1. (1) The title of these regulations is the Control of Fireworks and other Explosives (Amendment) Regulations, 2014, and these regulations shall be read and construed as one with the Control of Fireworks and other Explosives Regulations, hereinafter referred to as "the principal regulations".

(2) The provisions of regulation 6 shall come into force on the 1st October 2014.

Amends
regulation 2 of
the principal
regulations.

2. In the definition "fireworks factory" in regulation 2 of the principal regulations, for the words "the boundary walls" there shall be substituted the words "the boundaries".

Amends
regulation 4 of
the principal
regulations.

3. Regulation 4 of the principal regulations shall be amended as follows:

(a) in sub-regulation (3A) thereof, for the words "who attend a course" there shall be substituted the words "who apply to attend a course";

(b) in sub-regulation (7) thereof, for the words "every two years" there shall be substituted the words "every five years"; and

(c) sub-regulation (8) thereof shall be amended as follows:

(i) for the words "once every two years:" there shall be substituted the words "once every five years."; and

(ii) the proviso thereto shall be deleted.

4. In paragraph (b) of sub-regulation (1) of regulation 6A of the principal regulations for the words "the Register in regulation 22" there shall be substituted the words "the Register provided for in regulation 22".

Amends regulation 6A of the principal regulations.

5. Regulation 7 of the principal regulations shall be amended as follows:

Amends regulation 7 of the principal regulations.

(a) in sub-regulation (1) thereof, for the words "of a licence "A" or "B" ", there shall be substituted the words "of a licence "A", "B" or "D" "; and

(b) in sub-regulation (2) thereof, for the words "at a distance of two hundred metres" there shall be substituted the words "at a safe distance".

6. Regulation 8 of the principal regulations shall be amended as follows:

Amends regulation 8 of the principal regulations.

(a) in paragraphs (a) and (b) thereof, for the words "chlorate of potash", wherever they occur, there shall be substituted the words "potassium chlorate"; and

(b) in paragraph (d) thereof, the words "ammonium perchlorate." there shall be substituted the words "ammonium perchlorate;" and immediately thereafter there shall be added the following new paragraphs:

"(e) an admixture of potassium chlorate and metals in any flash composition;

(f) an admixture of potassium chlorate and charcoal (H3):

Provided that, with reference to paragraph (e), the use of potassium chlorate in flash mixtures shall be prohibited."

7. In regulation 9 of the principal regulations for the words "electric otherwise" there shall be substituted the words "electric or otherwise".

Amends regulation 9 of the principal regulations.

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Substitutes
regulation 10 of
the principal
regulations.

8. Regulation 10 of the principal regulations shall be substituted by the following:

"10. (1) No material other than paper and cardboard shall be used as casing for ground, rooftop or terrace fireworks.

(2) No material other than paper and cardboard shall be used as casing for aerial fireworks, which exceed 9.5 centimetres in length and 9.5 centimetres in diameter.

(3) In all cases the use of any kind of metallic casings shall be prohibited."

Amends
regulation 12 of
the principal
regulations.

9. In paragraph (c) of regulation 12 of the principal regulations, immediately after the words "during discharge of fireworks" there shall be added the words "which policy of insurance shall be for an amount of not less than EUR 300,000".

Amends
regulation 12A
of the principal
regulations.

10. In sub-regulation (1) of regulation 12A of the principal regulations, for the words "stipulated in regulation 12" there shall be substituted the words "stipulated in regulation 12, excluding paragraph (c) thereof,".

Amends
regulation 19 of
the principal
regulations.

11. In sub-regulation (1) of regulation 19 of the principal regulations, immediately after the words "of the chemical analysis of the explosives.", there shall be added the following:

"The said declaration or the said certificate shall also confirm that the precursors to be used comply with the purity levels required under the laws of Malta."

Amends
regulation 21 of
the principal
regulations.

12. In regulation 21 of the principal regulations, for the words "in a quantity exceeding 1150kg" there shall be substituted the words "in a quantity exceeding 1000Kg and potassium nitrate in a quantity exceeding 3200Kg".

Amends
regulation 22 of
the principal
regulations.

13. Sub-regulation (1) of regulation 22 of the principal regulations shall be amended as follows:

(a) for the words "the quantity and nature of", there shall be substituted the words "the quantity of"; and

(b) paragraphs (a), (b) and (c) thereof shall be substituted by the following:

"(a) potassium nitrate acquired and the amount of blackpowder produced on a yearly basis; and

(b) potassium perchlorate acquired and the

amount of flash produced on a yearly basis; and

(c) the amount of potassium chlorate acquired and the amount of star composition produced on a yearly basis."

14. Immediately after regulation 22 of the principal regulations, there shall be added the following new regulation:

Adds new regulation 23 to the principal regulations.

"Disposal of waste paper, cardboard or similar waste.

23. Whenever waste or side products such as waste paper, cardboard or other similar waste are to be disposed of at a fireworks complex, the licensee, or a licence "A" holder shall inform the divisional Police in advance of such disposal for the purpose of enabling the avoidance of unnecessary alarm."

15. In sub-paragraph (c) of paragraph 6 of the First Schedule to the principal regulations, for the words "of the event." there shall be substituted the words "of the event:" and immediately thereafter there shall be added the following proviso:

Amends the First Schedule to the principal regulations.

"Provided that, in the case of applications for the discharge of permitted rooftop or terrace fireworks, such applications may be submitted up to fourteen days before the discharge."

16. The Second Schedule to the principal regulations shall be amended as follows:

Amends the Second Schedule to the principal regulations.

(a) in paragraph (d) of Section B thereof, immediately after the word "diameter" there shall be added the words "as well as the item known as Chinese Cake, provided that this is up to a maximum diameter of 3cms";

(b) Section D thereof shall be amended as follows:

(i) in paragraph (a) thereof, for the words "discharged from 60 metres" there shall be substituted the words "discharged from at least 60 metres";

(ii) in paragraph (c) thereof, for the words "from 150 metres" there shall be substituted the words "from at least 150 metres", and for the words "*beraq u sfafar*)." there shall be substituted the words "*beraq u sfafar*), all not exceeding 7.6 cm in diameter and in length, as well as single break and single shot shells (excluding maroons) up to a maximum width and height of 15cms not arranged as a battery.";

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(iii) in paragraph (d) thereof, for the words "from 200 metres" there shall be substituted the words "from at least 200 metres"; and

(iv) immediately after paragraph (d) thereof, there shall be added the following new paragraph:

"(e) Rooftop and terrace fireworks may be let off from the distances stipulated in paragraphs (a) to (d).".

