ANGUILLA

REVISED STATUTES OF ANGUILLA

CHAPTER F36

FIREWORKS ACT

Showing the Law as at 31 December 2022

This Edition was prepared under the authority of the Revised Statutes and Regulations Act, R.S.A. c. R55 by the Attorney General as Law Revision Commissioner.

This Edition revises Act 3/2017, in force 18 April 2017

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FIREWORKS ACT

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FIREWORKS ACT

PRELIMINARY

Interpretation

1. In this Act—

"discharge" means to cause or permit a firework to be set alight, exploded or thrown;

"fireworks" means a device containing gunpowder and other combustible chemicals which cause spectacular effects and explosions when ignited and includes a squib, cracker, serpent or rocket;

"Minister" means the Minister with responsibility for the Fire and Rescue Service;

"Ministry" means the Ministry with responsibility for the Fire and Rescue Service;

"public place" means any place to which the public has access, as of right.

Application of this Act

2. This Act does not apply to marine distress flares or rockets.

IMPORTATION AND SUPPLY OF FIREWORKS

Prohibition of importation and supply of fireworks

3. (1) No person shall import or supply any fireworks except—

(a) under the authority of an importation licence or suppliers licence granted by the Minister under this Act; and

(b) in accordance with any specified terms and conditions of the importation licence or suppliers licence.

(2) No fireworks shall be supplied to any person who does not have a valid fireworks display licence.

(3) No fireworks shall be supplied from any place that is not authorised by the Minister for the supply and storage of fireworks.

(4) Any person who fails to comply with subsections (1) to (3) commits an offence and is liable on summary conviction to a fine of $1,000 or 3 months imprisonment, or to both.

(5) No person shall supply any fireworks to any person under the age of 18 years.

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(6) Any person who contravenes subsection (5) commits an offence and is liable on summary conviction to a fine of $3,000 or 9 months imprisonment, or to both.

Application for licence to import or supply fireworks

4. (1) A person who wishes to import or supply fireworks shall make a written application to the Minister for an importation licence or suppliers licence in the prescribed form.

(2) The Minister may grant, defer or deny an application made under subsection (1).

(3) In granting an importation licence or suppliers licence the Minister, after consultation with the Chief Fire Officer, may impose terms and conditions as he deems fit, including the quantity and type of fireworks that may be imported or supplied and the conditions to be complied with in relation to their storage.

(4) Any person who contravenes any condition of an importation licence or suppliers licence granted under this section commits an offence and is liable on summary conviction to a fine of $1,000 or 3 months imprisonment, or to both.

FIREWORKS DISPLAY

Prohibition of fireworks display

5. (1) No person shall have a fireworks display except—

(a) on a permitted occasion as specified by regulations;

(b) under the authority of a fireworks display licence granted by the Minister under this Act; and

(c) in accordance with the specified terms and conditions of the fireworks display licence.

(2) Any person who fails to comply with this section commits an offence and is liable on summary conviction to a fine of $1,000 or 3 months imprisonment, or to both.

Application for licence to have a fireworks display

6. (1) A person who wishes to have a fireworks display shall make a written application to the Minister for a fireworks display licence in the prescribed form.

(2) The Minister may grant or deny an application made under subsection (1).

(3) In granting a fireworks display licence the Minister, after consultation with the Chief Fire Officer may impose terms and conditions as he deems fit.

(4) A person referred to in subsection (1) includes—

(a) an individual having a private event;

(b) the proprietor of a restaurant;

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(c) the organiser of a public event; or

(d) the proprietor of a villa, hotel and other type of accommodation that is available to the public for rent.

(5) Any person who contravenes any condition of a fireworks display licence commits an offence and is liable on summary conviction to a fine of $1,000 or 3 months imprisonment, or to both.

STORAGE AND TRANSPORTATION

Prohibition in relation to storage and transportation of fireworks

7. (1) No fireworks shall be stored—

(a) except in accordance with the specified terms and conditions of the permission; and

(b) in any place that is not authorised by the Minister for the storage of fireworks.

(2) No person shall transport fireworks except in accordance with the specified terms and conditions of the permission.

(3) Any person who fails to comply with this section commits an offence and is liable on summary conviction to a fine of $800 or 3 months imprisonment or to both.

Application for permission to transport and store fireworks

8. (1) A person who wishes to—

(a) transport fireworks from one location in Anguilla to another location in Anguilla; or

(b) store fireworks;

shall make a written application to the Minister for permission, in the prescribed form.

(2) The Minister may grant or deny an application made under subsection (1).

(3) In granting permission the Minister, after consultation with the Chief Fire Officer, may impose terms and conditions as he deems fit.

FEES, TERMS OF LICENCES

Chief Fire Officer to give advice

9. (1) Where an application under this Act is received by the Minister he shall consult with the Chief Fire Officer in relation to the application.

(2) The Chief Fire Officer shall give advice on matters of public safety and on any other relevant matter.

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(3) Before submitting any advice to the Minister, the Chief Fire Officer may consult with the Commissioner of Police and the Director of Disaster Management.

Fees

10. The non-refundable fee specified in the Schedule is payable to the Comptroller of Inland Revenue in respect of an application for a licence or permission granted under this Act.

MISCELLANEOUS

Delegation of functions

11. The Minister may delegate any of his functions under this Act to a senior officer in the Ministry.

Regulations

12. The Minister may make regulations generally for the proper carrying out of the purposes and provisions of this Act and in particular, but without prejudice to the generality of the foregoing, may make regulations—

(a) prescribing—

(i) the procedures for applying for, granting, denying, suspending or revoking a licence or other permission granted under this Act,

(ii) the complaints and investigation procedures for breaches under this Act,

(iii) the necessary qualifications of a person authorised to discharge fireworks in accordance with the regulations;

(b) permitting the use of fireworks in a public place on permitted occasions;

(c) specifying how fireworks may be imported, supplied, discharged, transported and stored; and

(d) amending the Schedule to this Act.

Citation

13. This Act may be cited as the Fireworks Act, Revised Statutes of Anguilla, Chapter F36.

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SCHEDULE

(Section 10)

FEES

Licence Fee (by Type of licence)	**Fee**
Importation licence	$100
Suppliers licence	$300
Fireworks display licence	$100
Licence to have a fireworks display on a special permitted occasion	$150
Transportation Fee	$100

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