businesscompanion
trading standards law explained

Fireworks: age restrictions

In the guide

Age restrictions
Provision to under-18s
Proxy purchase
Defence
Keeping within the law
- Age verification checks
- Operate a Challenge 25 policy
- Staff training
- Maintain a refusals log
- Till prompts
- Store and product layout
- Signage
- Closed circuit television (CCTV)
- Online sales

Further information
Trading Standards
In this update
Key legislation

In this guide, the words 'must' or 'must not' are used where there is a legal requirement to do (or not do) something. The word 'should' is used where there is established legal guidance or best practice that is likely to help you avoid breaking the law.

This guidance is for Scotland

Different age restrictions apply to the various types of fireworks, depending upon their 'F' category.

It is your responsibility to keep within the law and not supply fireworks to those under the minimum legal age.

In the Pyrotechnic Articles (Safety) Regulations 2015, to 'supply' means to "make available on the market". In practice, this includes all sales, whether from one business to another or from a business to a consumer. Fireworks and other pyrotechnics are also 'supplied' if they are given free of charge.

Age restrictions

For supply purposes, fireworks are categorised as F1 - F4. For more information on the 'F' categories, see '[Fireworks: storage and supply]'.

The Pyrotechnic Articles (Safety) Regulations 2015 prohibit the supply of F4 fireworks to the general public.

The Regulations prohibit the supply of F2 (outdoor use - confined areas) and F3 (outdoor use - large open areas) fireworks to any person under the age of 18. The Regulations prohibit the supply of F1 (indoor use low-hazard low-noise - party poppers etc) fireworks to any person under the age of 16.

An exception is made for Christmas crackers, which must not be supplied to any person under the age of 12. Caps for toy guns are exempt from fireworks legislation, as they are covered by the Toys (Safety) Regulations 2011.

Note: the labelling on packets of sparklers must carry the words: 'Warning: not to be given to children under five years of age'.

Where F2 and F3 fireworks are supplied or exposed for supply in any premises, a notice must be displayed in a prominent position in those premises, no less than 420 mm by 297 mm (A3), with letters no less than 16 mm high, giving the following information:

IT IS ILLEGAL TO SELL CATEGORY F2 FIREWORKS OR CATEGORY F3 FIREWORKS TO ANYONE UNDER THE AGE OF 18

IT IS ILLEGAL FOR ANYONE UNDER THE AGE OF 18 TO POSSESS CATEGORY F2 FIREWORKS OR CATEGORY F3 FIREWORKS IN A PUBLIC PLACE

Although the wording of the sign includes the word 'sell', the legal meaning of 'supply' still applies.

Provision to under-18s

It is an offence for an adult to give or otherwise provide F2, F3 or F4 fireworks or pyrotechnics to anyone under the age of 18, including their own children.

Proxy purchase

An adult who buys or attempts to buy F2, F3 or F4 fireworks, or any pyrotechnic (except F1 fireworks and caps for toy guns), on behalf of someone who is under the age of 18, commits an offence. This is called 'proxy purchasing'.

It is the buyer and not the trader who commits an offence under these circumstances. However, be aware of young people loitering outside your premises; they may ask adult customers to buy fireworks for them. It is advisable to refuse such sales.

Defence

The offences are of 'strict liability'. This means that Trading Standards only have to prove that the fireworks were sold to someone below the minimum legal age. They do not have to prove that you intended to make an underage sale. An offence can take place even when you, as the business owner, are

not on the premises.

If you are charged with an offence, you have the defence that you took all reasonable precautions and exercised all due diligence to avoid committing the offence. It is your responsibility to keep within the law and to have systems in place that will act as a 'due diligence' defence to an allegation that a supply has taken place to a person under the minimum legal age.

Keeping within the law

In order to keep within the law and satisfy the legal defence, you are advised to introduce an age-verification policy and have effective systems to prevent an underage supply. To ensure these systems stay effective, they need to be regularly monitored and updated (where necessary) to identify and put right any problems or weaknesses, and to keep pace with any advances in technology.

Key best practice features of an effective system include the following.

Age verification checks

Always ask young people to produce proof of their age. The Chartered Trading Standards Institute, the Scottish Government and Police Scotland support the UK's national Proof of Age Standards Scheme (PASS), which includes a number of card issuers. You can be confident that a card issued under the scheme and bearing the PASS hologram is an acceptable proof of age. The Scottish Government also endorses the Young Scot card.

A passport, UK photocard driving licence, Ministry of Defence form 90, EU national identity card or a biometric immigration document is also acceptable, but make sure that the

- Card matches the person using it
- Date of birth shows that they are at least the minimum legal age

You do not have to accept all of the above forms of identification, and it may be best to exclude any type of document that your staff are not familiar with.

Some young people may present false identification cards, so it is advisable to also check the look and feel of a card. For example, the PASS hologram should be an integral part of a PASS card and not an add-on.

If the person cannot prove that they are at least the minimum legal age, or if you are in any doubt, refuse the supply.

Operate a Challenge 25 policy

This means that if the person appears to be under the age of 25, they will be asked to verify that they are at least the minimum age to purchase fireworks by showing valid proof of age.

Staff training

Make sure that your staff are properly trained. They need to know which products are age restricted, what the age restriction is, and the action they must take if they believe a person under the minimum legal age is attempting to buy. It is important that you can prove your staff have understood what is required of them under the legislation.

This can be done by keeping a record of the training and asking members of staff to sign to say that they have understood it. These records can then be checked and signed on a regular basis by management or the owner.

Maintain a refusals log

It is best practice to record all refusals (date, time, incident, description of potential buyer). Maintaining a refusals log will help to demonstrate that you actively refuse to supply and have an effective system in place. It is advisable that the manager / owner checks the log to ensure that all members of staff are using it.

A specimen refusals log is attached.

Some tills have a refusals system built in. If you use a till-based system, ensure that refusals can be retrieved at a later date. Be aware that some refusals are made before a product is scanned.

Till prompts

If you possess an EPoS system, it may be possible to use it to remind staff of age restrictions via a prompt. Alternatively, stickers can be used over certain product barcodes.

Store and product layout

Identify the age-restricted products (including F1 fireworks, such as party poppers) in your store and consider moving them nearer to, or even behind, the counter.

Consider displaying dummy packs (display-only versions of fireworks containing no actual explosive material - check with your supplier for details), so that people have to ask for the products if they want to buy them.

Signage

In addition to the legally required fireworks notice, you may wish to display a poster showing the age limit for the supply of F1 fireworks (16) and a statement regarding the refusal to supply. This may deter potential purchasers and act as a reminder to staff.

Closed circuit television (CCTV)

A CCTV system may act as a deterrent and reduce the number of incidents of underage supplies. It will also help you to monitor 'blind spots' within your store if it is not possible to change the layout or relocate the products behind, or closer to, the counter.

Online sales

If you supply by distance means, such as online or via a catalogue, you should set up an effective system capable of verifying the age of potential purchasers. Please see 'Online sales of age-restricted products' for more information.

For specific information about online sales of fireworks, see 'Fireworks: storage and supply'.

Further information

Before you are able to supply fireworks at all, you must consider whether you need a storage licence and/or an all-year supply licence. If you do not have an all-year supply licence, you can only supply F2 and F3 fireworks during very specific time periods. For more information, see 'Fireworks: storage and supply'.

Detailed guidance on the Pyrotechnic Articles (Safety) Regulations 2015 has been produced by the Office for Product Safety And Standards (OPSS).

The Scottish Government has produced information for retailers on the Fireworks (Scotland) Miscellaneous Amendments Regulations 2021.

Please note that now the UK has left the European Union, there are additional requirements you have to comply with. You may be classed as an importer into the Great Britain market, rather than being a distributor within the EU.

Trading Standards

For more information on the work of Trading Standards Services and the possible consequences of not abiding by the law, please see 'Trading Standards: powers, enforcement and penalties'.

In this update

No major changes.

Last reviewed / updated: October 2026

Key legislation

- Fireworks Regulations 2004
- Fireworks (Scotland) Regulations 2004
- Pyrotechnic Articles (Safety) Regulations 2015

- Fireworks (Scotland) Miscellaneous Amendments Regulations 2021
- Fireworks and Pyrotechnic Articles (Scotland) Act 2022

Please note

This information is intended for guidance; only the courts can give an authoritative interpretation of the law.

The guide's 'Key legislation' links go to the legislation.gov.uk website. The site usually updates the legislation to include any amendments made to it. However, this is not always the case. Information on all changes made to legislation can be found by following the above links and clicking on the 'More Resources' tab.

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