

Draft  
**ACT**  
of ... 2024

**amending Act No 206/2015 on pyrotechnic articles and their handling and amending certain acts (the Pyrotechnics Act), as amended, and other related acts**

Parliament has adopted the following Act of the Czech Republic:

PART ONE

**Amendment to the Pyrotechnics Act**

Article I

Act No 206/2015 on pyrotechnic articles and their handling and amending certain acts (the Pyrotechnics Act), as amended by Act No 229/2016, Act No 284/2021, Act No 87/2023 and Act No 90/2024, is amended as follows:

1. § 1(2) reads as follows:

‘(2) This Act also regulates, in the field of pyrotechnic articles,

- a) the rights and obligations of manufacturers, importers, distributors, persons with professional competence and other persons;
- b) the exercise of public administration;
- c) conformity assessment.’

2. The following § 1(3) is added:

‘(3) This Act does not apply to pyrotechnic articles regulated by other legislation.’

3. § 2, including the heading and footnotes 2 to 5, is deleted.

4. In § 3(e), the word ‘physical’ is inserted after the word ‘competence’ and the words ‘a certificate of professional competence has been issued by the Czech Mining Authority pursuant to this Act’ are replaced by the words ‘authorisation to handle pyrotechnic articles has been granted’.

5. In § 3(h), the words ‘sole trader or corporate entity’ are replaced by ‘business’.

6. In § 3(i), the words ‘sole trader or corporate entity established in the Union that’ are replaced by ‘business established in the Union that’.

7. In § 3(j), the words ‘a sole trader or corporate entity in the supply chain other than the manufacturer or importer’ are replaced by the words ‘a business in the supply chain, with the exception of the manufacturer or importer, that’.

8. In § 3(t), the word ‘warehouse’ is replaced by the words ‘premises for the storage of pyrotechnic articles’.

9. § 3(u) and (v) read as follows:

- ‘u) fireworks activity means an activity in which pyrotechnic articles of category F4 or T2 are used to produce light, sound, smoke or a combination of these effects, including the preparation and implementation of these effects;
- v) fireworks means simultaneous or consecutive firing of pyrotechnic articles of category F2, F3 or T1 containing more than 10 kg net total explosive content;’.

10. At the end of § 3, the full stop is replaced by a semicolon and the following subparagraph (w) is added:

- ‘w) security perimeter means the area threatened by the effects of the fired pyrotechnic articles, in particular by the scattering of their parts or the fallout of dangerous residues after their firing.’.

11. In § 4(1), the word ‘degrees’ is replaced by the word ‘levels’.

12. § 5(1) reads as follows:

‘(1) A pyrotechnic article may be made available on the market, in the case of a pyrotechnic article of

- a) category F1, only to a natural person who has reached the age of 15 years;
- b) category F2, T1 or P1, only to a natural person who has reached the age of 18 years.’.

13. In § 5, paragraphs (2) and (3) are deleted.

Paragraph (4) is renumbered as paragraph (2).

14. In § 5(2), the words ‘may not be made available to the general public if these pyrotechnic articles are not incorporated’ are replaced by the words ‘may only be made available on the market to an economic operator or other operator for the purpose of its incorporation’.

15. At the end of § 8(1), the words ‘if required by the relevant conformity assessment procedure pursuant to § 7’ are added.

16. § 8(2)(a) and (b) read as follows:

- ‘a) the name or addendum distinguishing the manufacturer, or the trade name of the manufacturer;
- b) the address of the registered office or place of business or any other address for delivery;’.

17. In § 9(3), the words ‘(hereinafter a “certificate”)’ are inserted after ‘paragraph (2)’.

18. In § 10(3), the second sentence is replaced by the sentence ‘An economic operator who makes a pyrotechnic article available on the market in the Czech Republic shall ensure that the EU declaration of conformity is translated into Czech.’.

19. In § 11(3), the words ‘a pyrotechnic article was placed on the market, unless the manufacturer or importer provides for a longer shelf life’ are replaced by the words ‘a pyrotechnic article was certified’ and the words ‘by means allowing remote access’ are replaced by the words ‘on its website’.

20. In § 12(3), ‘importer of pyrotechnic articles’ is replaced by ‘importer’.

21. § 12(4) and (5), including footnote 9, read as follows:

‘(4) A manufacturer or importer shall, within two months, submit the records pursuant to paragraph (3) in the event of its dissolution

a) without a legal successor or with a legal successor that does not continue in the line of business, to the Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, to the Czech Mining Authority; and

b) with a legal successor that continues in the line of business, to that legal successor.

(5) If a manufacturer or importer is transformed<sup>9)</sup> without dissolution, it shall transmit those records pursuant to paragraph (3) within two months to the successor corporate entity to the extent that the successor corporate entity continues in the line of business.

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<sup>9)</sup> § 174 of the Civil Code.

Act No 125/2008 on transformations of commercial companies and cooperatives, as amended.’.

22. In § 12(6), the words ‘pyrotechnic articles’ are deleted and the words ‘or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, to the Czech Mining Authority’ are inserted after the word ‘Authority’.

23. The following § 12(7) is added:

‘(7) A person who, in connection with the dissolution of a manufacturer or importer or its transformation, receives a record pursuant to paragraph (3) must hand it over to the legal successor of the manufacturer or importer who continues in the line of business or, if there is none, to the Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, to the Czech Mining Authority. Such a person must submit such documentation within 2 months after the date on which it became available to them.’.

24. § 13(1) is deleted.

Paragraphs (2) to (5) are renumbered as paragraphs (1) to (4).

25. In § 13(1)(b), ‘kind’ is replaced by ‘type’ and ‘lot’ is replaced by ‘batch’.

26. In the introductory part of § 13(2), ‘2’ is replaced by ‘1’.

27. In § 13(2)(b), the words ‘where applicable’ are deleted.

28. The introductory part of § 14(1) reads as follows: ‘The labelling of a pyrotechnic article intended for use in vehicles must include’.

29. In § 14(1)(b), the word ‘kind’ is replaced by ‘type’.

30. In § 14(1)(c), ‘lot’ is replaced by ‘batch’.

31. At the beginning of § 16(1), the sentence ‘Pyrotechnic articles may be made available on the market only by an economic operator.’ is inserted.

32. In § 16(2), the words ‘name, business name’ are replaced by the words ‘name or addendum distinguishing the economic operator, or trade name, and’.

33. § 16(3) is deleted.

34. § 17, including the heading, is deleted.

35. At the end of §18(3), the words ‘and other designations provided for in this Act’ are added.

36. § 18(5) reads as follows:

‘(5) Conformity of the product with the type specified in the certificate and with the requirements under this Act shall be assured by the manufacturer through the production process and control thereof.’.

37. In § 18(6), the words ‘for production, final inspection, design and testing, and informs the notified subject of changes’ are replaced by the words ‘and informs the notified subject of changes thereto’.

38. § 19(3) and (4) read as follows:

‘(3) The manufacturer shall indicate on the pyrotechnic article, or, where the size or nature of the pyrotechnic article does not allow it, on its packaging or in a document accompanying the article, its name or addendum distinguishing the manufacturer, trade name, trade mark if applicable, and the address at which the manufacturer can be contacted. These particulars must be provided in a manner that is easy to understand.

(4) The manufacturer shall ensure that the pyrotechnic article is accompanied by instructions for use. Instructions for use and labelling must be provided in Czech; the labelling must be marked in a visible, legible, intelligible and indelible manner.’.

39. In § 19(6), the words ‘in an intelligible form’ are replaced by the words ‘in the Czech language, or in another language if the supervisory authority agrees,’.

40. In § 20(2), the word ‘the Proof House’ is replaced by ‘the Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the Czech Mining Authority’.

41. § 20(3) reads as follows:

‘(3) Before placing a pyrotechnic article on the market, the importer shall ensure that the manufacturer has performed the appropriate conformity assessment procedure pursuant to § 7. If compliance of a pyrotechnic article with the requirements laid down in the conformity assessment procedure has been demonstrated pursuant to § 7(1)(b) or (c) or § 7(2), the importer shall ensure that the manufacturer

a) has issued an EU declaration of conformity;

b) has affixed the CE marking and other marking provided for in this Act to the pyrotechnic article;

c) has attached the required documents to the pyrotechnic article; and

d) has complied with the requirements laid down in § 18(7) and § 19(3) and (4).’

42. § 20(5) reads as follows:

‘(5) The importer shall indicate on the pyrotechnic article, or, where the size or nature of the pyrotechnic article does not allow it, on its packaging or in a document accompanying the article, its name or addendum distinguishing the importer, trade name, trade mark if applicable, and the address at which the manufacturer can be contacted. These particulars must be provided in a manner that is easy to understand.’

43. § 20(6) is deleted.

44. In § 21(5), the words ‘in an intelligible form’ are replaced by the words ‘in the Czech language, or in another language if the supervisory authority agrees,’.

45. In § 22(2), the words ‘and in Czech’ are inserted after the word ‘form’.

46. Title VI of Part One, including the title and footnotes 12, 13 and 22 to 28, reads as follows:

**‘TITLE VI  
HANDLING OF PYROTECHNIC ARTICLES**

§ 24

(1) Pyrotechnic articles are handled by a person who procures such pyrotechnic articles for himself or another person, stores, exhibits, disposes of, destroys, launches, uses them for the performance of fireworks activity or fireworks or otherwise deals with them.

(2) Pyrotechnic articles of category F4, T2 or P2 may be handled, except for procuring them for another person, only by a person with professional competence or by a business that ensures such pyrotechnic articles are handled only by persons with professional competence.

(3) If a business handles pyrotechnic articles of category F4, T2 or P2, unless this involves procuring them for another person, it must ensure these pyrotechnic articles are handled only by persons with professional competence.

(4) Pyrotechnic articles of category F3 may be handled, as far as their acquisition, firing or use for the performance of fireworks is concerned, only by a person with professional competence or by a business that ensures such pyrotechnic articles are handled only by persons with professional competence.

(5) If a business handles pyrotechnic articles of category F3, with regard to their acquisition, launching or use for the performance of fireworks, it must ensure these pyrotechnic articles are handled only by persons with professional competence.

(6) The obligation pursuant to paragraphs (4) and (5) does not apply when pyrotechnic articles of category F3 are handled by an economic operator.

## § 25

### **Procuring pyrotechnic articles**

(1) A person who procures pyrotechnic articles of category F3, F4, T2 or P2 for another person may procure such pyrotechnic articles only for a person with professional competence or for a business that ensures the handling of such pyrotechnic articles by persons with professional competence.

(2) Pyrotechnic articles, with the exception of category F1, may not be sold in a temporary construction or in a portable sales facility, stall or marketplace. The prohibition of sale under the first sentence does not apply to premises related to their display or demonstration pursuant to § 31.

## § 25a

### **Procuring pyrotechnic articles by means of distance communication**

(1) An economic operator may procure pyrotechnic articles for another by means of distance communication if it takes measures to ensure that those pyrotechnic articles are procured by a person complying with the requirements under § 5 or, in the case of pyrotechnic articles of categories F3, F4, T2 or P2, by a person with professional competence or by a business that ensures those pyrotechnic articles are handled by persons with professional competence.

(2) An economic operator must ensure that pyrotechnic articles are handed over to a person meeting the requirements under § 5 or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, to a person with professional competence.

(3) An economic operator shall ensure that pyrotechnic articles of category F3, F4, T2 or P2 pursuant to paragraph (2) are handed over only at a place where pyrotechnic articles can be stored pursuant to § 28.

### **Storage of pyrotechnic articles**

## § 26

(1) An economic operator may store pyrotechnic articles only under the conditions pursuant to §§ 27 to 30.

(2) A business that not an economic operator or a person with professional competence may store pyrotechnic articles of category F4, T2 or P2 only under the conditions pursuant to § 27 to 30.

## § 27

Pyrotechnic articles shall be stored

- a) in accordance with the instructions for use and the labelling and instructions provided on the pyrotechnic article or the smallest package of the pyrotechnic article intended for sale or in accordance with the manufacturer's requirements, or, if the pyrotechnic articles are kept in transport packaging, in accordance with the safety markings and instructions provided on the transport packaging;
- b) separately from substances that are flammable and support combustion;
- c) in such a way as to prevent their spontaneous fall and their unintentional initiation;

- d) in a dry location and in a manner ensuring that their temperature does not exceed 40 °C, unless otherwise provided on the labelling pursuant to § 13 or in the safety instructions provided on the pyrotechnic article or the smallest package of the pyrotechnic article intended for sale;
- e) in the manufacturer's or importer's original transport packaging or the smallest package of the pyrotechnic article intended for sale; and
- f) in such a way that, if they are unintentionally initiated, the risk to the life and health of persons and property is minimised and that the storage conditions do not jeopardise the compliance of the product with the essential safety requirements for pyrotechnic articles.

## § 28

(1) Unless this Act provides otherwise, pyrotechnic articles may be stored only in a warehouse, stockroom or sales room that meet the requirements laid down in the legislation governing the requirements for construction, and in premises related to their display and demonstration.

(2) Only pyrotechnic articles of category F1 may be stored outside the premises pursuant to paragraph (1).

(3) In all areas where pyrotechnic articles are stored, smoking, handling of open flames and hot objects and other activities that could cause spontaneous initiation or ignition of pyrotechnic articles is prohibited.

(4) When storing pyrotechnic articles in a warehouse, the requirements for fire safety of the warehouse and the requirements for storage of pyrotechnic articles set out in Annex 4 to this Act must be complied with.

## § 29

(1) Pyrotechnic articles containing not more than 80 kg net weight of explosive substances may be stored in a sales room.

(2) Pyrotechnic articles may be stored in a stockroom in quantities not exceeding

- a) 750 kg net weight of explosive substances, provided that they are all contained in the manufacturer's or importer's original transport packaging that is marked in accordance with the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)<sup>12)</sup> classification code 1.4 S;
- b) 300 kg net weight of explosive substances, provided that they are all contained in the manufacturer's or importer's original transport packaging that is marked in accordance with the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR)<sup>12)</sup> classification code 1.4 G, of which at most one such package per product type may be opened; or
- c) 200 kg net weight of explosive substances if the conditions laid down in (a) or (b) are not fulfilled.

## § 30

Pyrotechnic articles of category F1 may be stored outside the premises pursuant to § 28(1)

only if at least one portable water or foam fire extinguisher with a fire-extinguishing capacity of at least 13A or a portable powder fire extinguisher with a fire-extinguishing capacity of at least 21A is permanently installed in such premises.

### **Display and demonstration of pyrotechnic articles**

#### **§ 31**

(1) An economic operator may display or demonstrate pyrotechnic articles only under the conditions set out in paragraphs (3) to (6).

(2) A business that is not an economic operator or a person with professional competence may display or demonstrate pyrotechnic articles of category F4, T2 or P2 only under the conditions set out in paragraphs (3) to (6).

(3) The persons referred to in paragraph (1) or (2) must ensure that precautions are taken to ensure that pyrotechnic articles are displayed in a manner that does not endanger the life and health of persons and property. The Ministry shall lay down safety measures for display by decree.

(4) Persons referred to in paragraph (1) or (2) may only demonstrate pyrotechnic articles after prior identification of the endangered area in accordance with the instructions. Where it is not possible to define the endangered area in accordance with the instructions, it shall be determined in accordance with the instructions of a pyrotechnic article that is the most functionally comparable to the pyrotechnic article to be demonstrated.

(5) The persons referred to in paragraph (1) or (2) must equip the premises in which pyrotechnic articles are displayed or shown with fire extinguishers. The type, quantity and fire-extinguishing capacity of the fire extinguishers shall be determined by the Ministry by decree.

(6) Persons referred to in paragraph (1) or (2) shall notify the regional Fire Rescue Service and the Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the District Mining Authority at least 5 working days before the date of commencement of display or, in the case of fireworks activity or fireworks, before the date of commencement of demonstration, of

- a) the address or other identification of the place, date and time of commencement and termination of the display or demonstration of pyrotechnic articles;
- b) the name or addendum distinguishing the business, or the trade name or business name;
- c) the address of the registered office, place of business or residence and, in the case of a business, the identification number; and
- d) the quantity and type of pyrotechnic articles displayed or demonstrated.

(7) Under conditions pursuant to paragraphs (3) to (6), in order to place a pyrotechnic article on the market, an economic operator may also display or demonstrate pyrotechnic articles for which conformity has not been assessed. To that end, the economic operator shall identify those pyrotechnic articles by the name and date of their display or demonstration and by a marking indicating that those pyrotechnic articles do not comply with this Act and are not for sale.

(8) If fireworks activity or fireworks are carried out during the demonstration of pyrotechnic articles, the person referred to in paragraph (1) or (2) must also proceed in accordance with §§ 32 to 35.



### **Fireworks activity**

(1) Fireworks activity is managed by the head fireworks technician, who must be a person with professional competence. The head fireworks technician must ensure that the fireworks activity is carried out in accordance with technical procedures and that the life and health of persons and property are protected. The requirements for ensuring the protection of the life and health of persons and property when carrying out fireworks activity are laid down by the Czech Mining Authority by decree.

(2) For each fireworks activity, the head fireworks technician must develop a technological process that includes

- a) conditions for carrying out fireworks activity and ensuring the protection of the life and health of persons and property when carrying out fireworks activity;
- b) the definition of the safety zone with regard to the functions and hazards of the pyrotechnic articles being fired and taking into account the foreseeable weather conditions;
- c) the phone number of the head fireworks technician.

(3) The requirements for the content of the technical procedure pursuant to paragraph (2) is laid down by the Czech Mining Authority by decree.

(4) For the purposes of vocational training pursuant to § 38a, repetition of fireworks activity using the same technical procedure may be permitted if they are to be carried out under the same or comparable conditions.

(5) Before commencing the temporary or occasional performance of fireworks activity by a person who is authorised to perform similar activities in another Member State of the Union, a party state to the Agreement on the European Economic Area or the Swiss Confederation, the Czech Mining Authority shall recognise that person's professional qualifications pursuant to the Act on the Recognition of Professional Qualifications.<sup>13)</sup>

### **Fireworks activity permit**

(1) Unless otherwise specified, fireworks activity may be carried out only on the basis of a permit for fireworks activity issued by the district mining authority.

(2) In addition to the general requirements under the Administrative Code, the application contains

- a) the technical procedure for the fireworks activity and
- b) the written consent of the owner of the land on which the fireworks activity is to be carried out to the performance of the fireworks activity.

(3) The parties to the proceedings for the authorisation of fireworks activity include the municipality in whose territorial district the fireworks activity is to be carried out and the owners of immovable property located in the safety zone.

(4) The costs related to the appointment of an expert in the fireworks activity permit proceedings, including the expert's fees, shall be borne by the applicant for a fireworks activity permit.

(5) In the operative part of the fireworks activity permit, the district mining authority stipulates the obligation to carry out fireworks activity according to the technical procedure and also sets the date, place and estimated time of the fireworks activity, or conditions to ensure its safe execution.

(6) A copy of the written permit pursuant to paragraph (5) shall also be sent by the district mining authority to the competent regional directorate of the Police of the Czech Republic and to the competent regional fire rescue service.

(7) A fireworks activity permit is not required for fireworks activity carried out using pyrotechnic articles listed in Annex 3 to this Act; the performance of fireworks activity using such pyrotechnic articles is subject to notification pursuant to § 35.

#### § 34

##### **Record-keeping obligation when carrying out fireworks activity**

(1) The head fireworks technician must keep records of data related to the fireworks activity in the Czech language. If the head fireworks technician designated to carry out fireworks activity is an employee of a person with a permit carry out fireworks activity pursuant to § 33(1), these records shall be kept by the employer.

(2) Records pursuant to paragraph (1) contain

- a) the registration number of each pyrotechnic article used in carrying out fireworks activity; and
- b) the quantity of individual pyrotechnic articles used in carrying out fireworks activity.

(3) The person pursuant to paragraph (1) shall record information related to fireworks for at least one year from the date of its completion and shall submit it to the district mining authority upon request.

#### § 35

##### **Notification of fireworks activity and fireworks**

(1) A person intending to carry out fireworks activity shall notify the district mining authority, the municipal authority and the regional fire service in whose territory the fireworks activity is to be carried out no later than 7 working days before they are to be carried out.

(2) A person intending to carry out fireworks shall notify the district mining authority, the municipal authority and the regional fire service in whose territory the fireworks are to be carried out no later than 5 working days before they are to be carried out.

(3) Notification of the performance of fireworks activity pursuant to paragraph (1) must be in writing and must contain, in addition to the general requirements for submission under the Administrative Code, the technical procedure and the written consent of the owner of the land on which the fireworks activity is to be carried out to the performance of fireworks activity.

(4) The notice of fireworks pursuant to paragraph (2) must be in writing and in addition to the general requirements for submission under the Administrative Code must contain:

- a) the name and phone number of the person performing the fireworks;
- b) identification of the location of the fireworks;
- c) the date and time of the start of the preparation of the fireworks;
- d) the date and time of commencement of the fireworks and the duration thereof;
- e) the quantities and types of pyrotechnic articles used;
- f) the method of ensuring protection of life and health of persons and property, including maps or schemes depicting the launch site and the area at risk from the effects of the discharged pyrotechnic articles, in particular due to unexpected flight paths of parts thereof and fallout of dangerous debris after they have been launched; and
- g) the written consent of the owner of the land on which the fireworks are to be carried out.

(5) fireworks activity must be carried out in accordance with the notification pursuant to paragraph (3). Fireworks must be carried out in accordance with the notification pursuant to paragraph (4).

#### § 35a

### **Research, development and testing of pyrotechnic articles**

A pyrotechnic article manufactured for the purpose of research, development or testing that does not comply with the requirements of this Act must not be prevented by public authorities from free movement and use for the purpose of research, development or use if it is visibly marked with information that it does not comply with this Act and is intended only for research, development or testing.

#### § 35b

### **Prohibition of the handling of pyrotechnic articles**

The handling of pyrotechnic articles with the exception of category F1 as regards their firing and their use for carrying out fireworks activity or fireworks is prohibited at a distance up to 250 m or, if the instructions for use provide for a greater safe distance, up to this distance from

- a) a facility providing medical inpatient care<sup>22)</sup>, a home for seniors, a home for the disabled, a home with a special regime, a social services day centre, a social services weekly centre or a day services centre;<sup>23)</sup>
- b) a property on which an animal shelter<sup>24)</sup>, rescue station<sup>25)</sup>, rescue centre<sup>26)</sup> or zoo<sup>27)</sup> is operated; or
- c) a building registered in the register of holdings according to the buildings intended for keeping registered animals kept maintained pursuant to the Act on Agriculture.<sup>28)</sup>

#### § 35c

### **Bylaws**

(1) A municipality may, in a bylaw, prohibit the handling of pyrotechnic articles as regards their firing and their use for the performance of fireworks activity or fireworks

- a) in the entire municipality; or
- b) in other places not listed in § 35b.

(2) The prohibition pursuant to paragraph (1) may also be imposed only for times or categories of pyrotechnic articles specified by the municipality.

(3) Prohibition of the handling of pyrotechnic articles cannot be stipulated in a bylaw for pyrotechnic articles of category F1 and pyrotechnic articles of categories F4 and T2 that are used for the performance of firework activities, the performance of which is permitted under § 33.

(4) If a municipality also prohibits in a bylaw the handling of pyrotechnic articles for places where a prohibition applies pursuant to § 35b, the municipal legislation shall not be taken into account to this extent.

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<sup>12)</sup> European Agreement concerning the International Carriage of Dangerous Goods by Road – ADR (Geneva 1957), promulgated under No 64/1987, as amended.

<sup>13)</sup> Act No 18/2004, on the recognition of professional qualifications and other competences of nationals of Member States of the European Union and on amendments to certain acts (the Act on the recognition of professional qualifications), as amended.

<sup>22)</sup> Act No 372/2011 on health services and the conditions for the provision thereof (Health Services Act), as amended.

<sup>23)</sup> Act No 108/2006 on social services, as amended.

<sup>24)</sup> Act No 166/1999 on veterinary care and on amendments to certain related acts (the Veterinary Act), as amended.

<sup>25)</sup> Act No 114/1992 on nature and landscape protection, as amended.

<sup>26)</sup> Act No 100/2004 on the protection of species of wild fauna and flora by regulating trade therein and other measures to protect these species and amending certain acts (the Trade in Endangered Species Act), as amended.

<sup>27)</sup> Act No 162/2003 on the conditions for the operation of zoos and amending certain acts (the Zoos Act), as amended

<sup>28)</sup> Act No 252/1997 on agriculture, as amended.'.'.

Footnote 14 is deleted.

47. In Part One, Titles IX to XIV become Titles VII to XII.

48. § 36 to 38, including their headings, read as follows:

‘§ 36

### **Authorisation for handling pyrotechnic articles**

(1) Upon application, the Czech Mining Authority shall grant authorisation for the handling of pyrotechnic articles to a natural person who

- a) is over 18 years of age;

- b) has completed primary education;
- c) has full legal capacity;
- d) has integrity;
- e) is medically fit;
- f) successfully passes the examination pursuant to § 38a.

(2) Authorisation for handling pyrotechnic articles is granted separately for handling pyrotechnic articles of

- a) category P2;
- b) categories T2 and F4;
- c) category F3.

(3) In addition to the general requirements under the Administrative Code, an application for authorisation to handle pyrotechnic articles contains

- a) evidence of educational attainment;
- b) a medical opinion;
- c) a photograph that shows the applicant's appearance at the time of submission of the application and meets the requirements for taking a photograph for the issue of a temporary identity card;
- d) proof of integrity pursuant to § 38b(4) and (5);
- e) a statutory declaration of legal capacity if the applicant is a foreigner.

(4) The particulars of the application pursuant to paragraph (3)(b), (d) and (e) must not be more than 3 months old on the date of submission of the application.

(5) The validity of the authorisation for handling pyrotechnic articles is 5 years from the issuance of the document of professional competence used as proof for the authorisation.

(6) A person with professional competence may handle only pyrotechnic articles classified in the category he has been authorised to handle. A person authorised to handle pyrotechnic articles of categories T2 and F4 may also handle pyrotechnic articles of category F3.

## § 37

### **Proof of professional competence**

(1) A person who has been granted authorisation to handle pyrotechnic articles shall be issued with a certificate of professional competence by the Czech Mining Authority. The model of the certificate of professional competence shall be laid down by the Czech Mining Authority by decree.

(2) A certificate of professional competence is used to prove authorisation to handle pyrotechnic articles of

- a) category P2;
- b) categories T2 and F4; or

c) category F3.

(3) A certificate of professional competence is valid for 5 years from its issue. Revocation of the authorisation for handling pyrotechnic articles, causes the certificate of professional competence to lapse and the person to whom it was issued is obliged to return it to the Czech Mining Authority without delay.

(4) Upon request, the Czech Mining Authority shall issue to the holder of a lost, stolen, damaged or destroyed document of professional competence a new certificate of professional competence with the validity period of the original certificate of professional competence.

## § 38

### **Extension of authorisation for handling pyrotechnic articles**

(1) The Czech Mining Authority shall issue a new certificate of professional competence to a person with professional competence on the basis of their application for an extension of the authorisation for handling pyrotechnic articles if the holder of a valid certificate of professional competence

- a) submits the application not earlier than 6 months and not later than 30 days before the expiry of the existing authorisation for handling pyrotechnic articles and
- b) meets the conditions pursuant to § 36(1)(c) to (e).

(2) In addition to the general requirements under the Administrative Code, an application for an extension of authorisation to handle pyrotechnic articles contains

- a) a medical opinion attesting to the medical fitness of the applicant;
- b) proof of integrity pursuant to § 38b(4) and (5);
- c) a statutory declaration of legal capacity if the applicant is a foreigner; and
- d) a photograph that shows the form of the applicant at the time of application and meets the requirements to take a photograph for the issue of a temporary identity card.

(3) The particulars of the application pursuant to paragraph (2)(a) to (c) may not be more than 3 months old on the date of submission of the application.

(4) A new certificate of professional competence is issued to the extent corresponding to the previous certificate of professional competence. The issuance of a new certificate of professional competence invalidates the original certificate of professional competence.’.

49. New § 38a and § 38b, with headings, are inserted after § 38 as follows:

## ‘§ 38a

### **Professional training for the authorisation of the handling of pyrotechnic articles**

(1) Professional training for the granting of authorisation for the handling of pyrotechnic articles is provided by the Czech Proof House for Weapons and Ammunition (hereinafter the ‘Proof House’) in cooperation with the Czech Mining Authority.

(2) The date of professional training shall be announced by the Proof House no later than 30 days before its commencement. The name and contact details of the training centre, the date and place of the training and the organisational instructions shall be published by the Proof House on

its website. At least one vocational training course for the relevant category of pyrotechnic articles shall be started in a calendar year, provided that at least one candidate applies.

(3) Vocational training consists of a theoretical and practical part and ends with an examination consisting of a theoretical oral and written part and a practical part. A report shall be drawn up on the result of the examination. The examination may be repeated no more than twice. The Proof House shall announce the date of the re-examination so that the re-examination takes place no later than 6 months from the date on which the applicant failed the examination. Paragraph (2) shall apply mutatis mutandis to the manner in which the date of the re-examination is announced.

(4) The examination board shall consist of four members and shall have a quorum if an absolute majority of the members are present. The members of the examination committee are always 2 persons authorised by the Proof House and 2 persons authorised by the Czech Mining Authority. The Chair of the commission shall be appointed by the Czech Mining Authority. In the event of a tie, the Chair shall have the casting vote.

(5) The Ministry shall, by decree, determine the duration and content of the theoretical and practical part of the professional training and the examination rules, which shall determine the content of the individual parts of the examination, the method of evaluation and notification of the result of the examination and the details of the report on the result of the examination.

#### § 38b

#### **Integrity**

(1) For the purposes of this Act, a person without integrity is one who has been convicted with finality of an offence committed

- a) intentionally with an unconditional sentence of imprisonment of at least 1 year;
- b) intentionally that is a particularly serious crime; or
- c) in connection with the use or other handling of explosives, military material, ammunition, ammunition or pyrotechnic article;

if they are not looked upon as not having been convicted.

(2) Integrity is proven by an extract from the criminal register as well as by a document similar to an extract from the criminal register issued by a state other than the Czech Republic

- a) of which the natural person is a citizen; and
- b) where the natural person has resided continuously for more than 3 months in the last 3 years.

(3) For purposes of proving integrity the Czech Mining Authority shall request an extract from the criminal register pursuant to the Act on the criminal register and records of infractions.

(4) In order to prove integrity, a natural person shall submit a document similar to an extract from the criminal register issued by the State in which he or she has resided continuously for more than 3 months in the last 3 years; a natural person who is a citizen of a State other than the Czech Republic shall also submit a document similar to an extract from the criminal record issued

by the State of which he or she is a citizen. Instead of the document pursuant to the first sentence, a natural person may, for the purpose of proving integrity, submit an extract from the criminal register with an annex containing information entered in the criminal records of those States.

(5) If a State does not issue extracts attesting to the fulfilment of the condition of integrity, proof of integrity shall be provided by a statutory declaration.

(6) To verify whether the offence was committed in the context of the use or other handling of explosives, military material, ammunition, ammunition or pyrotechnic article, the Czech Mining Authority is entitled, to the extent necessary, to inspect the relevant files kept by law enforcement authorities and request the necessary information from them.’.

50. In the heading of § 39, the words ‘**purposes of issuing a certificate of professional competence**’ are replaced by ‘**granting authorisation for the handling of pyrotechnic articles**’.

51. In § 39(1), the words ‘obtaining a certificate of professional competence pursuant to § 36(1) or the holder of such a certificate’ are replaced by ‘granting authorisation to handle pyrotechnic articles or persons with professional competence’.

52. In § 39(2), the words ‘issue of a certificate of professional competence pursuant to § 36(1)’ are replaced by ‘granting of authorisation for handling pyrotechnic articles’.

53. In § 39(3), the words ‘holder of a certificate of professional competence pursuant to § 36(1)’ are replaced by ‘person with professional competence’ and the words ‘employer of the holder of a certificate’ are replaced by ‘employer of the holder of proof of professional competence’.

54. In § 39(4), the words ‘certificate of professional competence pursuant to § 36(1)’ are replaced by ‘proof of professional competence’ and the words ‘pursuant to § 36(1)(a) or (b)’ are replaced by ‘categories F3, F4, T2 or P2’.

55. § 39(5) is deleted.

56. In the heading of § 40, the words ‘**certificate of professional competence**’ are replaced by ‘**authorisation for handling pyrotechnic articles**’.

57. § 40(1) reads as follows:

‘(1) The Czech Mining Authority shall decide on the revocation of an authorisation for the handling of pyrotechnic articles if a person with professional competence has ceased to fulfil one of the conditions necessary for its granting.’.

58. In § 40(2), the words ‘certificate of professional competence pursuant to § 36(1)’ are replaced by ‘authorisation to handle pyrotechnic articles pursuant to paragraph (1)’ and the words ‘or the employer’ are replaced by ‘if the person was also the holder of a trade licence or his or their authorised representative.’.

59. In the heading of § 41, the words ‘**and certificates of professional competence issued and revoked**’ are deleted.

60. In § 41(1), the words ‘pursuant to § 36(1), including data on certificates issued and withdrawn;



this list is not publicly available' are replaced by ', which also includes data on issued and revoked authorisations for handling pyrotechnic articles'.

61. § 41(2) reads as follows:

'(2) The list of persons with professional competence includes

- a) name, date of birth and address of residence, or delivery address;
- b) the number of the proof of professional competence;
- c) the category of pyrotechnic articles for which the authorisation is granted;
- d) the date on which the authorisation for handling pyrotechnic articles was issued and the date of its expiry;
- e) the date of revocation of the authorisation to handle pyrotechnic articles.'

62. In § 41(3), the words 'change of information in the certificate' are replaced by 'loss, theft, damage or destruction of the document', the words 'pursuant to § 36(1), as well as loss, theft, damage or destruction of the certificate issued to it' are deleted and the words '1 month' are replaced by '30 days'.

63. In § 41(4), the words 'obtaining a certificate of professional competence pursuant to § 36(1)' are replaced by 'granting authorisation to handle pyrotechnic articles'.

64. In § 41(5), the words 'the Czech Trade Inspection Authority,' are inserted after the word 'authority,' and the sentence 'The Czech Mining Authority publishes the data pursuant to paragraph (2)(b) to (e) on its website.' is added at the end of paragraph (5).

65. In § 42(2), the words 'in a manner allowing remote access' are replaced by the words 'on its website'.

66. In § 43(1), 'and from a person with professional competence and must have no relationship to the pyrotechnic article it is assessing' is replaced by 'whose pyrotechnic article it is assessing and the pyrotechnic article being assessed'.

67. In § 43(4)(c), the word 'kind' is replaced by 'type'.

68. In § 43(6), the words 'degrees of risk' are replaced by the words 'hazard levels'.

69. In § 51, after the words 'performed by' the words 'the Ministry' are inserted and after the words 'Czech Trade Inspection Authority' the words ', municipal authorities' are inserted.

70. At the end of 52(1)(a), the words 'with the exception of international cooperation in the field of market surveillance' are added.

71. § 52(1)(b) and (c) are deleted.

Subparagraphs (d) to (l) become (b) to (j).

72. In § 52(1)(c), the words 'obtaining a certificate of professional competence' are replaced by 'granting authorisation to handle pyrotechnic articles'.

73. At the end of § 52(i), the semicolon is replaced by a full stop and subparagraph (j) is deleted.

74. § 52(3) is deleted.

Paragraph (4) is renumbered as paragraph (3).

75. In the second sentence of § 52(3), the words ‘or in order to ensure effective control of the market and the activities of the Proof House as a supervisory authority’ are deleted.

76. A new § 52a is inserted after § 52, which, including the heading, reads as follows:

‘§ 52a

**Czech Trade Inspection Authority**

The Czech Trade Inspection Authority supervises the obligations of economic operators, unless another public authority is competent to exercise such supervision under this Act.’

77. In § 53(a), the words ‘obtaining a certificate of professional competence pursuant to this Act’ are replaced by ‘granting authorisation for handling pyrotechnic articles’.

78. § 53(d) reads:

‘d) decides on the granting and revocation of authorisations for the handling of pyrotechnic articles and issues proof of professional competence and duplicates thereof;’.

79. At the end of § 53(e), the full stop is replaced by a semicolon and a new (f) is added, which reads as follows:

‘(f) supervises the obligations of economic operators in relation to pyrotechnic articles of category F3, F4, T2 or P2 pursuant to § 10 and §§ 12 to 23.’

80. In § 54(a), ‘of fireworks activity’ is replaced by ‘fireworks activity’.

81. § 54(b) reads as follows:

‘b) supervises compliance with the obligations in the field of fireworks and fireworks activity laid down in §§ 32 to 35 and monitors compliance with the obligations of economic operators in relation to pyrotechnic articles of categories F3, F4, T2 or P2 pursuant to §§ 24 to 31.’.

82. A new § 54a is inserted after § 54, which, including the heading, reads as follows:

§ 54a

**Notifying authority**

A notifying authority

a) notifies notified entities;

b) monitors the obligations of notified entities.’.

83. § 55, including the heading, is deleted.

84. In the heading of § 56, the words ‘**Proof House**’ are replaced by ‘**the Czech Trade**

**Inspection Authority, the Czech Mining Authority or the district mining authority’.**

85. In § 56(1), the words ‘Proof House’ are replaced by ‘Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the Czech Mining Authority’, the words ‘activities pursuant to § 55(2)’ are replaced by the word ‘inspections’ and the words ‘or a person with professional competence’ are deleted.
86. In the introductory part of § 56(2) and in § 56(3) and (5), the words ‘Proof House’ are replaced by ‘Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the Czech Mining Authority’.
87. The following § 56(7) is added:
- ‘(7) Within the scope of its competence, a district mining authority is entitled to take measures to remedy shortcomings and remedy them. A district mining authority is also entitled to order the destruction of a pyrotechnic article.’
88. In § 57(1), the words ‘Proof House’ are replaced by ‘Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the Czech Mining Authority’, the words ‘pursuant to § 55(2)’ are deleted, the words ‘or a person with professional competence to accept’ are replaced by ‘to accept’ and the words ‘by the Proof House’ are replaced by ‘by the Czech Trade Inspection Authority or the Czech Mining Authority’.
89. In § 59(1) and (4), the words ‘Proof House’ are replaced by ‘Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the Czech Mining Authority’.
90. In the second sentence of § 59(3), the words ‘the President of the Proof House’ are replaced by ‘the Director of the Inspectorate of the Czech Trade Inspection Authority or the President of the Czech Mining Authority’.
91. In § 59(5), the words ‘the Proof House must’ are replaced by ‘the Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the Czech Mining Authority must’.
92. . § 60, including heading, reads as follows:

‘§ 60

**Seizure of pyrotechnic articles**

(1) The Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, a district mining authority, may seize pyrotechnic articles until a final decision has been taken on their forfeiture or confiscation, or until it is proved that there was no reason for their seizure.

(2) The Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, a district mining authority, may seize pyrotechnic articles pursuant to paragraph (1) if a pyrotechnic article is being sold in a place where its sale is prohibited or such a pyrotechnic article is made available on the market to a person who has not reached the age pursuant to § 5(1) or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, is not a person with professional competence.

(3) An economic operator must hand over the pyrotechnic articles seized pursuant to paragraph (1) without delay. If they fail to do so, the Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the district mining authority, shall confiscate them. The Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, by the district mining authority, shall write up a report on the handover or confiscation of pyrotechnic articles.

(4) The costs of storing the seized pyrotechnic articles shall be borne by the economic operator, unless it is demonstrated that there is no reason to seize them.

(5) If a final decision is taken on the forfeiture or confiscation of seized pyrotechnic articles, the Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the district mining authority, shall ensure their destruction. The costs of their destruction shall be borne by the economic operator. If the proceedings are not concluded by a final decision on forfeiture or confiscation of pyrotechnic articles, the Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the district mining authority, shall return the pyrotechnic articles to the economic operator.’.

93. In § 61(1), the word ‘Proof House’ is replaced by ‘Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the Czech Mining Authority’ and the words ‘or a person with professional competence’ are deleted.

94. In § 61(2), the words ‘Proof House’ are replaced by ‘Czech Trade Inspection Authority or, in the case of pyrotechnic articles of category F3, F4, T2 or P2, the Czech Mining Authority’.

95. In § 62(3)(d), the word ‘issue’ is deleted.

96. Title XII, including the title and footnote 29, reads as follows:

## ‘TITLE XII

### **INFRACTIONS**

#### § 63

#### **Infractions by natural persons**

- (1) A natural person commits an infraction by
- a) making a pyrotechnic article available on the market contrary to § 16(1);
  - b) handling a pyrotechnic article contrary to § 24(2);
  - c) handling a pyrotechnic article contrary to § 24(4);
  - d) procuring a pyrotechnic article for another person contrary to § 25(1);
  - e) performing fireworks without notification pursuant to § 35(2);
  - f) failing to comply with the requirements laid down for the notification of fireworks pursuant to § 35(5);
  - g) performing fireworks contrary to § 35(6); or
  - h) handling a pyrotechnic article contrary to § 35b or an obligation laid down in a municipal bylaw issued on the basis of § 35c.

- (2) Persons with professional competence commit an infraction by
- a) procuring a pyrotechnic article for another person contrary to § 25(1);
  - b) storing a pyrotechnic article contrary to § 26(2);

- c) displaying or demonstrating a pyrotechnic article contrary to § 31(2);
- d) performing fireworks contrary to § 33(1) or § 35(1);
- e) performing fireworks contrary to a permit pursuant to § 33(1);
- f) failing to comply with the requirements laid down for the notification of fireworks activity pursuant to § 35(4);
- g) performing fireworks activity contrary to § 35(6);
- h) handling a pyrotechnic article classified in a category for which they have not been granted authorisation pursuant to § 36(6); or
- i) failing to comply with the notification obligation pursuant to § 41(3) or (4).

(3) A person with professional competence, as a head fireworks technician, commits an infraction by

- a) performing fireworks activity contrary to § 32(1), or failing to develop a technical procedure for them contrary to § 32(2) or developing it contrary to the requirements pursuant to § 32(3);
- b) failing to keep records pursuant to § 34(1) or keeping them contrary to § 34(2); or
- c) failing to keep records of data for a specified period pursuant to § 34(3) or failing to submit them to the district mining authority upon request.

(4) For an infraction, a fine may be imposed up to the amount of

- a) CZK 1,000,000 in the case of an infraction pursuant to paragraph (1)(a), paragraph (2)(d) or (e) or paragraph (3)(a);
- b) CZK 500,000 in the case of an infraction pursuant to paragraph (1)(b), (c) or (e) or paragraph (2)(b), (c), (g) or (h);
- c) CZK 200,000 in the case of an infraction pursuant to paragraph (1)(d), paragraph (2)(a) or paragraph (3)(b);
- d) CZK 100,000 in the case of an infraction pursuant to paragraph (1)(g) or (h), paragraph (2)(i) or paragraph (3)(c); or
- e) CZK 50,000 for an infraction pursuant to paragraph (1)(f) or paragraph (2)(f).

## § 64

### **Infractions by corporate entities and sole traders**

(1) Corporate entities or sole traders who are not economic operators commit an infraction by

- a) using the CE marking, a certificate or other document issued under this Act without authorisation;
- b) making a pyrotechnic article available on the market contrary to § 16(1);
- c) handling a pyrotechnic article contrary to § 24(3);
- d) handling a pyrotechnic article contrary to § 24(5);
- e) procuring a pyrotechnic article for another person contrary to § 25(1);
- f) storing a pyrotechnic article contrary to § 26(2);
- g) displaying or demonstrating a pyrotechnic article contrary to § 31(2);
- h) perform fireworks activity without a permit pursuant to § 33(1) or contrary to this permit;
- i) as the employer of a head fireworks technician, failing to keep records of data related to fireworks activity pursuant to § 34(1) or failing to keep them in the prescribed manner;
- j) failing to keep records of data related to fireworks activity to the extent pursuant to § 34(2);
- k) as the employer of a head fireworks technician, failing to keep records of data for a specified period pursuant to § 34(3) or failing to submit them to the district mining authority upon request;
- l) performing fireworks activity without notification pursuant to § 35(1);
- m) contrary to § 35(2), performing fireworks without notification pursuant to § 35(2);

- n) failing to specify any of the particulars pursuant to § 35(5) in the fireworks notification;
- o) performing fireworks activity contrary to § 35(6);
- p) performing fireworks contrary to § 35(6); or
- q) handling a pyrotechnic article contrary to § 35b or an obligation laid down in a municipal bylaw issued on the basis of § 35c.

(2) An economic operator commits an infraction by

- a) using the CE marking, a certificate or other document issued under this Act without authorisation;
- b) making a pyrotechnic article available on the market contrary to § 5(1);
- c) making a pyrotechnic article available on the market contrary to § 5(2);
- d) failing to ensure, for a product it makes available on the market, the translation of the EU declaration of conformity pursuant to § 10(3);
- e) failing to provide the user with a safety data sheet pursuant to § 14(3);
- f) contrary to § 16(1), making a pyrotechnic article available on the market that does not comply with the requirements of this Act;
- g) failing to keep a list pursuant to § 16(2);
- h) handling a pyrotechnic article of category F4, T2 or P2 contrary to § 24(3);
- i) procuring pyrotechnic articles for another person contrary to § 25(1);
- j) selling pyrotechnic articles contrary to § 25(2);
- k) failing to comply with any of the obligations relating to the sale of pyrotechnic articles by means of distance communication pursuant to § 25a;
- l) storing a pyrotechnic article contrary to § 26(1);
- m) displaying or demonstrating a pyrotechnic article contrary to § 31(1) or (7); or
- n) failing to ensure, pursuant to § 56(4) or § 57(2), that corrective measures are taken in respect of all pyrotechnic articles that it has made available on the market within the Union.

(3) A manufacturer commits an infraction by

- a) failing to draw up an EU declaration of conformity pursuant to § 10(1) or failing to comply with the conditions laid down in § 10(3) or (4);
- b) failing to provide a copy of the EU declaration of conformity at the request of the competent authorities pursuant to § 10(6);
- c) failing to mark a pyrotechnic article with a registration number or marking it contrary to § 12(1) or (2);
- d) failing to keep records for the stipulated period pursuant to § 12(3);
- e) failing to provide the records pursuant to § 12(3) to a successor corporate entity pursuant to § 12(4)(b) or § 12(5);
- f) failing to provide a notified entity, the Czech Trade Inspection Authority or the Czech Mining Authority, on the basis of their instructions, the information pursuant to § 12(6);
- g) marking a pyrotechnic article contrary to § 13(1) to (4), or § 14(1) or (2);
- h) affixing the CE marking to a pyrotechnic article contrary to § 15;
- i) making a pyrotechnic article available on the market contrary to § 18(1) or (2);
- j) failing to draw up the stipulated documentation pursuant to § 18(3) or failing to affix the marking pursuant to § 18(3);
- k) failing to keep pursuant to § 18(4) the documentation pursuant to § 18(4) or the EU declaration of conformity for the stipulated period after the pyrotechnic article has been placed on the market;
- l) failing to ensure conformity of the product with the type specified in the certificate and with the requirements under this Act pursuant to § 18(5);
- m) failing to use an approved quality system or failing to inform a notified entity of changes thereto pursuant to § 18(6);

- n) failing, in the case of mass production, to use procedures ensuring compliance with this Act pursuant to § 18(7);
- o) failing to carry out tests and verifications of pyrotechnic articles made available on the market pursuant to § 19(1) or failing to inform distributors of their results pursuant to § 19(1);
- p) failing to keep records pursuant to § 19(2);
- q) failing to indicate on the pyrotechnic article, on its packaging or in a document accompanying the pyrotechnic article all the information pursuant to § 19(3) or failing to indicate it in the manner laid down in § 19(3);
- r) failing to ensure that a pyrotechnic article is accompanied by instructions for use pursuant to § 19(4), or failing to ensure that the instructions for use and other markings are provided in the Czech language and in the manner pursuant to § 19(4);
- s) failing to take the necessary corrective measures if its product does not comply with this Act, pursuant to § 19(5), or failing to inform the competent authorities if the pyrotechnic article presents a risk, pursuant to § 19(5);
- t) failing to submit to the competent supervisory authority, on the basis of its instructions, the information and documentation necessary to demonstrate the conformity of the pyrotechnic article with the technical requirements pursuant to § 19(6) or failing to cooperate with the competent supervisory authority; or
- u) failing to cooperate with the notified entity in the performance of supervision pursuant to § 19(7).

(4) An importer commits an infraction by

- A) failing keep records for the stipulated period pursuant to § 12(3);
- b) failing to provide the records pursuant to § 12(3) to a successor corporate entity pursuant to § 12(4)(b) or § 12(5);
- c) failing to provide a notified entity, the Czech Trade Inspection Authority or the Czech Mining Authority, on the basis of their instructions, the information pursuant to § 12(6);
- d) making a pyrotechnic article available on the market that has not undergone conformity assessment pursuant to § 20(1);
- e) failing to ensure, pursuant to § 20(3), that the manufacturer has carried out the conformity assessment procedure, drawn up the necessary documentation, marked the pyrotechnic article with the CE marking or other marking provided for by this Act, attached the prescribed documents or complied with all the requirements pursuant to § 18(7)-and § 19(3) and (4);
- f) placing a pyrotechnic article on the market contrary to § 20(4) or failing to inform the manufacturer or the competent inspection authority pursuant to § 20(4);
- g) failing to indicate any of the information pursuant to § 20(5) on a pyrotechnic article, on its packaging or in a document accompanying the pyrotechnic article or failing to indicate such information in the manner pursuant to § 20(5);
- h) failing to carry out tests and verifications of pyrotechnic articles made available on the market pursuant to § 21(1) or failing to inform distributors of their results pursuant to § 21(1);
- i) failing to keep records pursuant to § 21(2);
- j) failing to take the necessary corrective measures if it has placed an article on the market that does not comply with this Act, pursuant to § 21(3), or failing to inform the competent authorities if the pyrotechnic article presents a risk, pursuant to § 21(3);
- k) failing to keep a copy of the EU declaration of conformity pursuant to § 21(4) after the pyrotechnic article has been placed on the market for the stipulated period or failing to guarantee that the stipulated documentation can be submitted to the inspection authority pursuant to § 21(4) upon request; or
- t) failing to submit to the competent supervisory authority, on the basis of its instructions, the information and documentation necessary to demonstrate the conformity of the pyrotechnic article with the technical requirements pursuant to § 21(5) or failing to cooperate with the competent supervisory authority.

(5) A distributor commits an infraction by

- a) making a pyrotechnic article available on the market contrary to § 22(1);
- b) failing to verify, pursuant to § 22(2), that a pyrotechnic article bears the CE marking, that it is accompanied by the required documents drawn up in the Czech language and that the manufacturer or importer has ensured that the pyrotechnic article has been marked in accordance with this Act;
- c) making a pyrotechnic article available on the market contrary to § 22(3), or failing to inform the manufacturer, importer or the competent supervisory authority of a potential risk pursuant to § 22(3);
- d) failing to take the necessary corrective measures if it has placed an article on the market that does not comply with this Act, pursuant to § 22(4), or failing to inform the competent authorities if the pyrotechnic article presents a risk, pursuant to § 22(4); or
- e) failing to submit to the competent supervisory authority, on the basis of its instructions, the information and documentation necessary to demonstrate the conformity of the pyrotechnic article with the technical requirements pursuant to § 22(5) or failing to cooperate with the competent supervisory authority.

(6) A notified entity commits an infraction by

- a) failing to adhere to the procedure pursuant to § 9(1) or (2);
- b) issuing a certificate contrary to § 9(3);
- c) failing to keep a register of pyrotechnic articles pursuant to § 11(1) or keeping it contrary to § 11(2);
- d) failing to regularly update the register of pyrotechnic articles pursuant to § 11(3), failing to make that register available on its website pursuant to § 11(3) or failing to store the data kept therein for the stipulated period pursuant to § 11(3);
- e) failing to transfer a register of pyrotechnic articles to another notified entity or to the notifying authority pursuant to § 11(4);
- f) failing to ensure that a subcontractor or subsidiary complies with the stipulated requirements pursuant to § 45(1) or failing to inform the notifying authority pursuant to § 45(1);
- g) subcontracts activities to a subcontractor or a subsidiary pursuant to § 45(3) without the consent of the applicant for conformity assessment;
- h) failing to keep appropriate evidence of the qualifications and work of a subcontractor or subsidiary pursuant to § 45(4);
- i) failing to submit documents relating to the performance of the activities of a notified entity pursuant to § 48(4);
- j) failing to comply with any of the obligations relating to the activities of a notified entity pursuant to § 49; or
- k) violating the information obligation pursuant to § 62(3) or (4).

(7) A person in possession of records pursuant to § 12(3) in connection with the dissolution of a manufacturer or importer or its transformation shall commit an infraction by failing to fulfil their obligation to hand over those records pursuant to § 12(4), (5) or (7).

(8) For an infraction, a fine may be imposed up to the amount of

- a) CZK 5,000,000 for an infraction pursuant to paragraph (1)(b), (c), (d), (h), (l) or (o), pursuant to paragraph (2)(f), (h), (i), (j) or (k), pursuant to paragraph (3)(i), pursuant to paragraph (4)(d) or pursuant to paragraph 5(a);



- b) CZK 1,000,000 for an infraction pursuant to paragraph (1)(e), (f), (m), (p) or (q) pursuant to paragraph (2)(b), (c) or (l), pursuant to paragraph (3)(a), (b), (c), (j), (l), (m), (n) or (o), pursuant to paragraph (4)(e) or (f), pursuant to paragraph (5)(b) or (d) or pursuant to paragraph (6)(b);
- c) CZK 500,000 for an infraction pursuant to paragraph (1)(a) or (g), pursuant to paragraph (2)(a), (g), (m) or (n), pursuant to paragraph (3)(d), (f), (g), (h), (k), (s), (t) or (u), pursuant to paragraph (4)(a), (c), (g), (h), (j), (k) or (l), pursuant to paragraph (5)(e) or pursuant to paragraph (6)(a), (c), (d), (e), (f), (h), (j) or (k);
- d) CZK 100,000 for an infraction pursuant to paragraph (1)(i), (j) or (k), pursuant to paragraph (2)(d) or (e), pursuant to paragraph (3)(e), (p) or (r), pursuant to paragraph (4)(b) or (i), pursuant to paragraph (5)(c) or pursuant to paragraph (6)(g) or (i); or
- e) 50,000 CZK for an infraction pursuant to paragraph (1)(n), pursuant to paragraph (3)(q) or pursuant to paragraph (7).

(9) Prohibition of activity may be imposed for an infraction pursuant to paragraph (2)(i), (j) or (k).

## § 65

### **Common provisions concerning infractions**

(1) Unless otherwise provided, administrative authorities shall deal with offences under this Act within the scope of their competence set out in §§ 52a to 54a.

(2) The Czech Mining Authority shall deal with infractions pursuant to § 62(2)(i).

(3) The district mining authority shall deal with infractions pursuant to § 63(1)(b), (c) and (d), § 63(2)(a), (b), (c) and (h) and § 64(1)(c), (d), (e), (f) and (g).

(4) The Czech Trade Inspection Authority shall deal with infractions pursuant to § 63(1)(a), § 64(1)(a) and (b) and § 64(7).

(5) Delegated municipal authorities shall deal with infractions pursuant to § 63(1)(h) and § 64(1)(q). A district mining authority may deal with the infractions pursuant to the first sentence only if they concern the handling of pyrotechnic articles of category F3, F4, T2 or P2. The administrative authority initiating the procedure shall inform the other competent administrative authority accordingly.

(6) Fines shall be collected by the administrative authority that imposed them.

## § 65a

### **Competence and scope of authority of the police**

(1) If circumstances indicate that an infraction pursuant to § 63(1)(h) or § 64(1)(q) has been committed, the Czech Police shall proceed in accordance with § 74 of the Act on liability for and proceedings on infractions<sup>29)</sup>.

(2) For an infraction pursuant to § 63(1)(h) or § 64(1)(q), the Czech Police may impose a fine by order on the spot.

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<sup>29)</sup> Act No 205/2016 on liability for and proceedings on infractions, as amended.’.

97. Annex 2, including its heading, reads as follows:

‘Annex 2 to Act No 206/2015

**Essential safety requirements for pyrotechnic articles**

1. Each pyrotechnic article must achieve the performance specified by the manufacturer and communicated to a notified entity in order to ensure maximum safety and reliability.
2. Each pyrotechnic article must be designed and manufactured in such a way that it can be safely disposed of by an appropriate process with minimal impact on the environment.
3. Each pyrotechnic article must function correctly when used for its intended purpose.

Each pyrotechnic article must be tested under realistic conditions. If it is not possible to carry out the test in a laboratory, it must be carried out under the conditions under which the product is to be used.

The following information and characteristics must be taken into account or tested:

- a) design, construction and characteristic properties, including detailed chemical composition (mass and percentage of substances used) and dimensions;
- b) the physical and chemical stability of the pyrotechnic article in all normal, foreseeable environmental conditions;
- c) sensitivity to normal foreseeable handling and transport;
- d) compatibility of all components as regards their chemical stability;
- e) resistance of the pyrotechnic article to moisture where it is intended to be used in humid or wet conditions and if its safety or reliability may be adversely affected by moisture;
- f) resistance to low and high temperatures if the pyrotechnic article is intended to be kept or used at such temperatures and if its safety or reliability may be adversely affected by the cooling or heating of a component or of the pyrotechnic article as a whole;
- g) safety characteristics preventing premature or unintentional initiation or ignition;
- h) appropriate instructions and, if necessary, markings with regard to safe handling, storage, use (including safe distances) and disposal, in the Czech language;
- i) the ability of the pyrotechnic article, its smallest immediate packaging and other components to withstand damage when kept under normal, foreseeable conditions;
- j) specifications of all necessary equipment and devices and instructions for use for the reliable and safe operation of the pyrotechnic article.

During transport and normal handling, pyrotechnic articles must not release the pyrotechnic composition unless otherwise specified by the manufacturer's instructions.

4. Pyrotechnic articles must not contain explosives other than black powder and flash component, except for products of category P1, P2, T2 and fireworks of category F4, which must comply with the following conditions:
  - a) primary and secondary explosives cannot be easily extracted from the pyrotechnic article;
  - b) in the case of category P1, the product cannot operate in a detonating manner, nor can it initiate secondary explosives to detonate as designed and manufactured;
  - c) in the case of categories F4, T2 and P2, the product is designed and constructed in such a way that it does not detonate or, if designed to detonate, cannot initiate secondary explosives to detonate as designed and manufactured.
5. Each type of pyrotechnic article must also meet at least the following requirements:

#### A. Fireworks

1. Fireworks shall be divided into categories pursuant to § 4(2)(a) of the Act, in particular according to the net explosive content, safety distances and noise level. The category must be clearly indicated on the label.
  - a) Fireworks of category F1 must meet the following conditions:
    - i) the safety distance must be at least 1 m from the pyrotechnic article; depending on the nature of the pyrotechnic article, the safety distance may be shorter;
    - ii) the maximum noise level at the safety distance must not exceed 120 dB (A, imp), or an equivalent noise level as measured by another appropriate method;
    - iii) it must not include firecrackers, firecracker bundles, flash firecrackers and flash firecracker bundles; and
    - iv) crackling balls must not contain more than 2.5 mg of silver fulminate.
  - b) Fireworks of category F2 must meet the following conditions:
    - i) the safety distance must be at least 8 m; depending on the nature of the pyrotechnic article, the safety distance may be shorter;
    - ii) the maximum noise level at the safety distance must not exceed 120 dB (A, imp), or an equivalent noise level as measured by another appropriate method.
  - c) Fireworks of category F3 must meet the following conditions:
    - i) the safety distance must be at least 15 m; depending on the nature of the pyrotechnic article, the safety distance may be shorter;
    - ii) the maximum noise level at the safety distance must not exceed 120 dB (A, imp), or

an equivalent noise level as measured by another appropriate method.

2. Fireworks may only be manufactured from materials that minimise the risk of damage to health, property or the environment from debris.
3. The method of initiation must be clearly visible or indicated on the label or in the instructions.
4. Fireworks must not move in an erratic and unpredictable manner during their initiation and operation.
5. Fireworks of categories F1, F2 and F3 must be protected against unintentional initiation by either a protective cover, the smallest consumer packaging or the design of the product. Fireworks of category F4 must be protected against unintentional initiation in a manner specified by the manufacturer.

#### B. Other pyrotechnic articles

1. Pyrotechnic articles must be designed in such a way as to minimise risk to health, property and the environment during normal use.
2. The method of initiation must be clearly visible or indicated on the label or in the instructions.
3. The pyrotechnic article must be designed in such a way as to minimise risk to health, property and the environment from debris when initiated inadvertently.
4. The pyrotechnic article must function properly until the expiration date indicated by the manufacturer.

#### C. Initiating device

1. The initiation device, when used under normal, foreseeable conditions, must be capable of being reliably initiated and must have sufficient initiation capability.
2. Initiating devices must be protected from electrostatic discharge under normal, foreseeable storage and use conditions.
3. Electric igniters must be protected from electromagnetic fields under normal, foreseeable conditions of storage and use.
4. The packaging of fuses must have the necessary mechanical strength and provide adequate protection of the explosive charge under normal, foreseeable mechanical stress.
5. A pyrotechnic article must be provided with information regarding with the burning time of its fuse.
6. A pyrotechnic article must be provided with information regarding the electrical characteristics (e.g. safe current, resistance, etc.) of the electric igniters.
7. The conductors of electric igniters must be sufficiently insulated and their mechanical strength, including their attachment in the igniter itself, must be appropriate to the intended use.'.

98. Annex 4 is added, which, including its heading reads:

‘Annex 4 to Act No 206/2015

### **Warehouse fire safety and storage requirements**

#### 1. Warehouse fire safety:

- a) smoking and using an open flame are prohibited in the warehouse; signs with these prohibitions shall be affixed to all doors leading to the storage areas;
- b) only authorised persons may enter the warehouse; unauthorised persons may enter only when accompanied by authorised persons and must comply with their instructions;
- c) the warehouse shall be closed, except during the period during which stock is being placed in or removed from storage; if nobody is present in the warehouse, the warehouse must be locked;
- d) during warehouse maintenance that could endanger the stored pyrotechnic articles, these products must be moved to another warehouse during the maintenance work;
- e) cleaning agents containing flammable substances shall not be used for cleaning interior walls, ceilings, floors, doors, shelves and other equipment;
- f) in the warehouse and its surroundings, within a distance corresponding to the safety distance, or within a distance of 30 meters if the safety distance is more than 30 meters, only work related to the operation of the warehouse as such and its maintenance and maintenance of the surroundings may be carried out;
- g) only mechanization intended for handling stored pyrotechnic articles may be placed in the warehouse, including mechanization for handling other products, if the warehouse has been authorised for them;
- h) at the main entrance, on the outside, an information sign shall be situated on a non-combustible substrate, which includes at least
  - i) the number of the decision authorising the use of the warehouse;
  - ii) the maximum number of persons allowed to be in the warehouse;
  - iii) the maximum quantity of the net mass of explosive substances;
  - iv) instructions in the event of an emergency.

#### 2. Storage requirements

- a) pyrotechnic articles classified in dangerous goods class 1 and the relevant subclasses and tolerance groups may be stored in the warehouse to the extent corresponding to the UN numbers for pyrotechnic articles in accordance with the Agreement on the International Carriage of Dangerous Goods by Road (ADR);
- b) pyrotechnic articles that do not comply with point (a) shall be stored as pyrotechnic articles classified in subclass 1.1 in accordance with the Agreement on the International Carriage of Dangerous Goods by Road (ADR);
- c) only pyrotechnic articles classified in the compatibility groups of substances and articles in

accordance with the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) that are mutually compatible may be stored together;

- d) pyrotechnic articles classified in different subclasses in accordance with the Agreement concerning the International Carriage of Dangerous Goods by Road (ADR) shall be stored separately so as to avoid confusion;
  - e) the temperature and humidity shall be maintained in such a way as to comply with the conditions laid down for the storage of pyrotechnic articles in accordance with the manufacturer's instructions;
  - f) in the case of storage of more than one type of pyrotechnic article, the pyrotechnic article with the strictest conditions shall prevail, provided that the storage conditions of other pyrotechnic articles are not adversely affected;
  - g) the articles shall be stored in a manner preventing them from spontaneously falling down and the height at which the products may be stored shall be determined with a view to the design and technical parameters specified by the manufacturer, according to the carrying capacity of the lower layers of packaging, the shelf and the warehouse;
  - h) the packaging shall be stored in such a way as to allow easy access to the information on the transport packaging of the individual pyrotechnic articles;
  - i) damaged pyrotechnic articles shall be stored separately in a place designated by the economic operator and clearly identified.
3. Compliance with the requirements pursuant to points 1 and 2 shall be without prejudice to the obligations laid down in the Fire Protection Act.’.

## Article II

### **Transitional provisions**

- 1. Certificates of professional competence for handling pyrotechnic articles and certificates proving professional competence for handling pyrotechnic articles of category T2, P2 or F4 issued before the effective date of this Act shall be considered documents proving authorisation for handling pyrotechnic articles pursuant to Act No 206/2015, as amended as of the effective date of this Act.
- 2. If the holder of a certificate pursuant to point 1 has not submitted a medical opinion to the Czech Mining Authority in the last 5 years before the effective date of this Act, the certificate pursuant to point 1 shall expire on the effective date of this Act; an invalid certificate shall be deemed to have been revoked.
- 3. If the holder of a certificate pursuant to point 1 has submitted a medical opinion to the Czech Mining Authority in the last 5 years before the effective date of this Act, the certificate pursuant to point 1 shall expire 5 years after the date of issue of the medical opinion pursuant to § 37(1) of Act No 206/2015, as amended prior to the effective date of this Act.
- 4. Proceedings initiated pursuant to Act No 206/2015, as amended prior to the effective date of this Act, shall be completed and the rights and obligations relating thereto shall be assessed pursuant to Act No 206/2015, as amended prior the effective date of this Act.
- 5. Pyrotechnic articles that have been placed on the market pursuant to Part One, Article II(1) of Act No 148/2010 amending Act No 156/2000 on proofing firearms, ammunition and

pyrotechnic articles and amending Act No 288/1995 on firearms and ammunition (Firearms Act), as amended by Act No 13/1998, and Act No 368/1992 on administrative charges, as amended, as amended, and certain related acts, may be made available on the market only for a period of 1 month from the effective date of this Act.

PART TWO  
**Amendment to the Act on Administrative Fees**  
Article III

Annex to Act No 634/2004 on administrative fees, as amended by Act No 217/2005, Act No 228/2005, Act No 361/2005, Act No 444/2005, Act No 545/2005, Act No 553/2005, Act No 48/2006, Act No 56/2006, Act No 57/2006, Act No 1/2006, Act No 109/2006, Act No 112/2006, Act No 130/2006, Act No 136/2006, Act No 138/2006, Act No 161/2006, Act No 179/2006, Act No 186/2006, Act No 215/2006, Act No 226/2006, Act No 227/2006, Act No 235/2006, Act No 312/2006, Act No 575/2006, Act No 106/2007, Act No 261/2007, Act No 269/2007, Act No 374/2007, Act No 379/2007, Act No 38/2008, Act No 130/2008, Act No 140/2008, Act No 182/2008, Act No 189/2008, Act No 230/2008, Act No 239/2008, Act No 254/2008, Act No 296/2008, Act No 297/2008, Act No 301/2008, Act No 309/2008, Act No 312/2008, Act No 382/2008, Act No 9/2009, Act No 41/2009, Act No 141/2009, Act No 197/2009, Act No 206/2009, Act No 227/2009, Act No 281/2009, Act No 291/2009, Act No 301/2009, Act No 346/2009, Act No 420/2009, Act No 132/2010, Act No 148/2010, Act No 153/2010, Act No 160/2010, Act No 343/2010, Act No 427/2010, Act No 30/2011, Act No 105/2011, Act No 133/2011, Act No 134/2011, Act No 152/2011, Act No 188/2011, Act No 245/2011, Act No 249/2011, Act No 255/2011, Act No 262/2011, Act No 300/2011, Act No 308/2011, Act No 329/2011, Act No 344/2011, Act No 349/2011, Act No 350/2011, Act No 357/2011, Act No 367/2011, Act No 375/2011, Act No 428/2011, Act No 457/2011, Act No 458/2011, Act No 472/2011, Act No 19/2012, Act No 37/2012, Act No 53/2012, Act No 119/2012, Act No 169/2012, Act No 172/2012, Act No 202/2012, Act No 221/2012, Act No 225/2012, Act No 274/2012, Act No 350/2012, Act No 359/2012, Act No 399/2012, Act No 407/2012, Act No 428/2012, Act No 496/2012, Act No 502/2012, Act No 503/2012, Act No 50/2013, Act No 69/2013, Act No 102/2013, Act No 170/2013, Act No 185/2013, Act No 186/2013, Act No 232/2013, Act No 239/2013, Act No 241/2013, Act No 257/2013, Act No 273/2013, Act No 279/2013, Act No 281/2013, Act No 306/2013, Act No 313/2013, Statutory Measure of the Senate No 344/2013, Act No 101/2014, Act No 127/2014, Act No 187/2014, Act No 249/2014, Act No 257/2014, Act No 259/2014, Act No 264/2014, Act No 268/2014, Act No 331/2014, Act No 81/2015, Act No 103/2015, Act No 204/2015, Act No 206/2015, Act No 224/2015, Act No 268/2015, Act No 314/2015, Act No 318/2015, Act No 113/2016, Act No 126/2016, Act No 137/2016, Act No 148/2016, Act No 188/2016, Act No 229/2016, Act No 243/2016, Act No 258/2016, Act No 264/2016, Act No 298/2016, Act No 319/2016, Act No 324/2016, Act No 369/2016, Act No 63/2017, Act No 170/2017, Act No 194/2017, Act No 195/2017, Act No 199/2017, Act No 202/2017, Act No 204/2017, Act No 206/2017, Act No 222/2017, Act No 225/2017, Act No 251/2017, Act No 261/2017, Act No 289/2017, Act No 295/2017, Act No 299/2017, Act No 302/2017, Act No 304/2017, Act No 371/2017, Act No 90/2018, Act No 171/2018, Act No 193/2018, Act No 286/2018, Act No 307/2018, Act No 135/2019, Act No 176/2019, Act No 209/2019, Act No 255/2019, Act No 277/2019, Act No 279/2019, Act No 364/2019, Act No 368/2019, Act No 369/2019, Act No 12/2020, Act No 115/2020, Act No 117/2020, Act No 119/2020, Act No 334/2020, Act No 336/2020, Act No 337/2020, Act No 501/2020, Act No 524/2020, Act No 543/2020, Act No 13/2021, Act No 14/2021, Act No 90/2021, Act No 261/2021, Act No 270/2021, Act No 274/2021, Act No 284/2021, Act No 300/2021, Act No 362/2021, Act No 366/2021, Act No 371/2021, Act No 374/2021, Act No 426/2021, Act No 91/2022, Act No 96/2022, Act No 217/2022, Act No 225/2022, Act No

246/2022, Act No 314/2022, Act No 372/2022, Act No 376/2022, Act No 431/2022, Act No 432/2022, Act No 458/2022, Act No 88/2023, Act No 149/2023, Act No 173/2023, Act No 185/2023, Act No 271/2023, Act No 277/2023, Act No 349/2023, Act No 414/2023, Act No 469/2023, Act No 1/2024, Act No 85/2024, Act No 123/2024, Act No 125/2024 and Act No .../2024 is amended as follows:

1. In entry 22(r), the words ‘issue of a certificate of professional competence’ are replaced by the words ‘granting of authorisation for handling pyrotechnic articles’ and the words ‘pyrotechnic articles and their handling’ are replaced by the words ‘pyrotechnics’.

2. Item 32 read as follows:

**‘Item 32**

- |  |   |
|--|---|
| a) Issuance of a certificate of homologation for a firearm pursuant to the Act governing the proofing of weapons and ammunition  | CZK 10,000  |
| b) Unit and repeated unit verification of a weapon or a weapon accessory pursuant to the Act governing the proofing of weapons and ammunition                              | CZK 150   |
| c) Proofing of a weapon bearing a test mark under the Act governing the proofing of weapons and ammunition   | CZK 500   |
| d) Issue of a report on the check of a weapon without a test firing and marking pursuant to the Act governing the proofing of weapons and ammunition                       | CZK 100   |
| e) Issue of a decision on the categorisation of a weapon or ammunition pursuant to the Act governing the proofing of weapons and ammunition                                | CZK 500   |
| f) Issuance of a certificate on type check of ammunition pursuant to the Act governing the proofing of weapons and ammunition  | CZK 10,000  |
| g) Renewal of issued certificates on the homologation of a firearm or on the type check of ammunition pursuant to the Act governing the proofing of weapons and ammunition | 50%<br>of the rate of<br>the fees<br>pursuant to<br>points (a) and<br>(f) |
| h) Unit and repeated unit verification of a historical firearm pursuant to the Act governing the proofing of weapons and ammunition  | CZK 300   |
| i) Proofing of a historical firearm bearing a test mark pursuant to the Act governing the proofing of weapons and ammunition   | CZK 1 000   |
| j) Acceptance of an application for professional training to obtain proof of professional competence pursuant to the Pyrotechnics Act for categories P2 or T2 and F4       | CZK 10,000  |
| k) Acceptance of an application for professional training to obtain proof of professional competence pursuant to the Pyrotechnics Act for category F3                      | CZK 6000  |



- l) Acceptance of an application for re-examination to obtain proof of professional competence pursuant to the Pyrotechnics Act CZK 3000
- m) Acceptance of an application for the performance of professional activities related to the testing of pyrotechnic articles and equipment for their use pursuant to the Pyrotechnics Act CZK 10,000

3. Footnote 31 is deleted.

### PART THREE

#### **Amendment to the Act on market surveillance of products**

##### Article IV

In the Annex to Act No 87/2023 on market surveillance of products and amending certain related acts (the Product Market Surveillance Act), the entry for the supervisory authority ‘Czech Mining Authority’ reads as follows:

Czech Mining Authority	Directive 2014/28/EU of the European Parliament and of the Council of 26 February 2014 on the harmonisation of the laws of the Member States applicable to market availability and the supervision of explosives for civil use	Act No 61/1988 on mining activities, explosives, and the State Mining Administration, as amended
		Act No 90/2016, on conformity assessment of specified products when making them available on the market, as amended
	Directive 2013/29/EU of the European Parliament and of the Council of 12 June 2013 on the harmonisation of the laws of the Member States relating to the making available on the market of pyrotechnic articles	Act No 206/2015 on pyrotechnic articles and the handling thereof and on amendments to certain acts (the Pyrotechnics Act), as amended.

### PART FOUR

#### **TECHNICAL REGULATION**

##### Article V

This Act was notified in accordance with Directive (EU) 2015/1535 of the European Parliament and of the Council of 9 September 2015 laying down a procedure for the provision of information in the field of technical regulations and of rules on Information Society services.

PART FIVE  
**ENTRY INTO FORCE**

Article VI

This Act comes into effect on 1 December 2024.

