

**LAW AMENDING ARTICLES 9, 16, 17, 21
OF LAW NO IX-931 OF THE REPUBLIC OF LITHUANIA ON THE CONTROL OF THE
CIRCULATION OF CIVIL PYROTECHNIC ARTICLES**

No of 2023
Vilnius

Article 1. Amendment to Article 9

1. Article 9(1) is amended to read as follows:

‘1. Types of licences:

1) a licence to export, import, introduce or dispatch civil pyrotechnic articles, except as provided for in paragraph 9 of this Article;

2) a licence to distribute civil pyrotechnic articles, except as provided for in paragraphs 8 and 9 of this Article;

3) a licence to manufacture civil pyrotechnic articles in the Republic of Lithuania;

4) a licence to use fireworks of category F4, as well as civil pyrotechnic articles of categories T2 and P2.’

2. In Article 9, paragraph 9 shall be added and read as follows:

‘9. ‘Unlicensed economic commercial activity’ means the import, export, introduction, dispatch, distribution and use of civil pyrotechnic articles for vehicles of category P1, including airbag and seat belt pre-tension limiter systems.’

Article 2. Amendment to Article 16

Article 16(1) is amended to read as follows:

‘1. Natural or legal persons, other organisations or their subdivisions shall obtain an authorisation for the distribution of category F2 fireworks for each category F2 fireworks distribution site, which shall be issued for an indefinite period of time. Entities holding such a valid authorisation must notify the issuing authority by 30 November of each year, by electronic means via PEPS, in accordance with the procedure laid down by the latter, which distribution sites specified in the authorisation will be used for the distribution of category F2 fireworks.’

Article 3. Amendment to Article 17

Article 17 is amended to read as follows:

‘Article 17. Restrictions on the use and/or distribution of civil pyrotechnic articles

1. It is prohibited:

1) to distribute civil pyrotechnic articles (except category F1 fireworks and category P1 civil pyrotechnic articles) within 30 metres of schools;

2) to distribute civil pyrotechnic articles (except category F1 fireworks and category P1 civil pyrotechnic articles) in and within 30 metres of service stations located in commercial establishments;

3) to distribute fireworks of category F2 from 1 January to 30 November, unless these fireworks are distributed by entities holding the authorisation referred to in Article 14(2) of this Law;

4) to use civil pyrotechnic articles (except for category F1 fireworks and category P1 civil pyrotechnic articles) within 30 metres of schools, medical and rehabilitation facilities, places of worship, chapels, unless agreed with the managers of the buildings (structures) or premises, as well

as in other places determined by the municipal council, except for the use of civil pyrotechnic articles by entities holding the authorisation referred to in Article 14(2) of this Law and where their use has been agreed in advance with the Mayor or the Director of the Municipal Administration authorised by the Mayor, and the Fire Protection and Rescue Department;

5) if this disturbs public peace, to use civil pyrotechnic articles between 22.00 and 8.00 (except on public holidays and during mass events authorised by the municipal executive authority), or at any other time prescribed by law or by the municipal council;

6) to use civil pyrotechnic articles for purposes other than those for which they were intended;

7) to use and/or distribute civil pyrotechnic articles the warranty (storage) period of which has expired;

8) to use and/or distribute civil pyrotechnic articles to persons who have no right to acquire and/or use them;

9) to use and/or distribute civil pyrotechnic articles to persons who are intoxicated or under the influence of narcotic, psychotropic or other intoxicating substances;

10) to use and/or distribute civil pyrotechnic articles which are obviously mechanically or otherwise damaged, deformed, on which there are traces of corrosion or liquid stains;

11) to manufacture, use and/or distribute civil pyrotechnic articles in violation of the requirements laid down in this Law;

12) to use and/or distribute civil pyrotechnic articles which do not comply with the requirements laid down in the harmonised legislation of the European Union and their implementing legal acts of the Republic of Lithuania providing for the affixing of the CE marking of conformity and are not properly labelled.

2. The manufacturer, exporter, importer, introducer, dispatcher, distributor, user of civil pyrotechnic articles the warranty (storage) period of which has expired or which are unsafe to use due to mechanical or other damage, shall be obliged to immediately hand them over to a body authorised by the Government of the Republic of Lithuania to be destroyed free of charge. The costs of the destruction of civil pyrotechnic articles shall be borne by the manufacturer, exporter, importer, introducer, dispatcher, distributor or user of the civil pyrotechnic articles who has submitted such articles for destruction.

3. Within 2 months after the expiry or revocation of the authorisation referred to in Article 14(2) of this Law, the revocation of the authorisation referred to in Article 16(1) of this Law, or the revocation of a licence referred to in Article 9(1) of this Law, a natural person or a legal entity, another organisation or a subdivision of any of them, may dispose of the holdings in their possession in the case of civil pyrotechnic articles to the holder of the relevant licence or authorisation.

4. Municipal councils shall establish the procedure for the use of civil pyrotechnic articles and shall adopt decisions on the places specified in this Article and other places where the use of civil pyrotechnic articles is prohibited, and the time during which their use shall be prohibited. When taking decisions on these restrictions, municipal councils must take into account the views of the residents whose territory of residence is subject to restrictions, environmental requirements and the safety of the population.'

Article 4. Amendment to Article 21

Article 21 is amended to read as follows:

'Article 21. Restrictions on the purchase and use of civil pyrotechnic articles

1. Category F1 fireworks may be purchased and used by persons aged 14 or over.

2. Fireworks of categories F2 and F3 and civil pyrotechnic articles of categories T1 and P1 may be purchased and used by persons aged 18 or over.

3. Category F4 fireworks, civil pyrotechnic articles of categories T2 and P2 may be purchased, used and placed on the market only by pyrotechnicians.

4. Civil pyrotechnic articles (except for category F1 fireworks) may be distributed by electronic means only if the purchased articles are delivered by the holder of the licence referred to in Article 9(1)(1), (2) or (3) of this Law. In this case, the identity (age requirement) of the person acquiring the civil pyrotechnic articles, the pyrotechnician's certificate (in the case of fireworks of category F4 or civil pyrotechnics of categories T2, P2), must be verified prior to the delivery of the civil pyrotechnic articles, or at the latest at the time of delivery.

5. Civil pyrotechnic articles for vehicles of category P1, including airbag and seat belt pre-tension limiter systems, shall not be distributed to the public unless these pyrotechnic articles for vehicle are integrated into the vehicle or in a detachable part of the vehicle.

6. The use of civil pyrotechnic articles shall comply with the requirements of the instructions for the use of these articles.'

Article 5. Entry into Force, Implementation and Application of the Law

1. This Law, with the exception of paragraph 2 of this Article, shall enter into force on 1 July 2024.

2. The Government of the Republic of Lithuania or an institution authorised by it and municipal councils shall adopt legal acts implementing this Law by 31 June 2024.

3. With effect from 1 July 2024, the following issued before the date of entry into force of this Law shall cease to be valid:

1) authorisations for the manufacture and storage of all categories of civil pyrotechnic articles in places where the distribution of civil pyrotechnic articles is prohibited by this Law;

2) authorisations for the storage of all categories of civil pyrotechnic articles in places where the distribution of civil pyrotechnic articles is prohibited by this Law;

3) authorisations for the distribution of category F2 fireworks in places where the distribution of civil pyrotechnic articles is prohibited by this Law.

4. Fireworks of category F2 placed on the market before the date of entry into force of this Law and complying with the age marking requirements in force before the date of entry into force of this Law shall be available for sale.

I hereby promulgate this Law passed by the Seimas (Lithuanian Parliament) of the Republic of Lithuania.

President of the Republic