

A BILL

FOR

AN ACT TO MAKE PROVISIONS FOR THE CONTROL OF IMPORTATION, MANUFACTURE, DISTRIBUTION, STORAGE, POSSESSION AND USE OF FIRECRACKERS, EXPLOSIVES AND OTHER PYROTECHNIC SUBSTANCES AND FOR RELATED MATTERS

Sponsored by Hon. Yakub Abiodun Balogun

[] Commencement

BE IT ENACTED by the National Assembly of the Federal Republic of Nigeria as follows:

1 **1.** It is the purpose of this Bill to regulate, Control and Manage the
2 Importation, Manufacture, Distribution, Storage, Possession and the use of
3 Firecrackers, explosives and other pyrotechnic substances consistent with,
4 and in furtherance of public safety, public order and national security.

Purpose of Bill

5 **2.** The Explosives Act, Cap. E18, Laws of the Federation of
6 Nigeria, 2004 is hereby repealed and a new set of provisions is hereby
7 enacted in this present Bill.

Repeal and Re-enactment

8 **3.** In this Act, "Firecrackers" or "Fireworks" means bangers,
9 knockouts and other explosives and pyrotechnic devices which are
10 generally intended to be used for entertainment especially during the festive
11 periods.

Interpretation

12 **4.** No person or body of persons shall import or manufacture any
13 form of Firecrackers or explosives without being licensed or permitted to do
14 so by the Excise Department of the Nigeria Customs Service in consultation
15 with the office of the Inspector-General of the Nigerian Police ("The
16 Office").

Prohibition of importation

17 **5.** The office may delegate this function to a body jointly set up by
18 both the Nigeria Customs Service and the Nigerian Police Force
19 respectively in each State of the Federation, such bodies to be chaired by

Enforcement body

	1	State Commissioner of Police.
Permit Requirement	2	6. No person or body of persons shall distribute any form of
	3	Firecrackers, fireworks or any other forms of pyrotechnic devices except with
	4	permit granted to them by the N.P.F & N.C.S. joint body under the
	5	Commissioner of Police in the respective States of the Federation of Nigeria.
Prohibition of storage without permit	6	7. No person or body of persons shall store or sell in retail any
	7	firecrackers without the permit of the Divisional Police Chief under whose
	8	jurisdiction the store or retail outlet is located.
	9	8. Any person or body of persons who imports, or manufactures or
	10	stores firecrackers or other pyrotechnic substances:
	11	(a) Shall take appropriate measures to prevent fire, explosion and
	12	prevent the spreading of fire and explosion from one location to another;
	13	(b) Shall protect persons from the effects of fire or explosion;
	14	(c) Shall not allow persons of below the age of 18 (Eighteen) years
	15	into the factory or the warehouse where the substances are stored.
Licensing	16	9. Licence to manufacture or import and permit to store and distribute
	17	firecrackers and other pyrotechnic substances may be granted to an applicant
	18	subject to terms and conditions as the relevant issuing authorities may deem fit
	19	having regard to the need for safety, public order and security of lives and
	20	property.
Application of License	21	10.-(1) Any person or body of persons desiring to import,
	22	manufacture, distribute or store firecrackers or other pyrotechnic devices shall
	23	file his application for the issuance of licence or permit as the case may be with
	24	the issuing authorities as stipulated in the relevant provisions of the Act.
Fees	25	(2) Reasonable fees may be charged for the issuance of the said
	26	licences or permits.
	27	11.-(1) Any premises where firecrackers are manufactured shall be at
	28	least 300 (three hundred) meters away from the nearest residential units.
	29	(2) Any storage facilities where firecrackers and other pyrotechnic
	30	substances are being stored shall be at least 150 (One Hundred & Fifty) meters

1	away from the nearest residential units.	
2	(3) All buildings where firecrackers and other fireworks materials	Need for safety devices
3	are being manufactured or stored must have the necessary safety devices	
4	including fire extinguishers in place.	
5	(4) Non-compliance with the provisions of this section 11 will be a	Ground for refusing application
6	good ground for refusing an application for license or permit.	
7	12. Firecrackers and pyrotechnic devices shall bear labels	
8	indicating the name and address of their manufacturers and warning	
9	instructions legibly written.	
10	13. The provisions of this Act shall not apply regarding the use of	Exception
11	fireworks (and not manufacture or importation) for official purposes	
12	provided the user provides an undertaking and an evidence of insurance	
13	indemnity against any injury to third parties lives and property.	
14	14.-(1). No public fireworks display shall be operated except a	Need for notice to use fireworks
15	prior notice of such display shall have been given to the relevant police	
16	authorities in the localities in which the display is to be staged.	
17	(2) In this section, "Public Fireworks Display" means a fireworks	Interpretation
18	display at which the public or any section of the public are present (whether	
19	or not they have paid to be).	
20	15. The licensing authority which grants a licence to a person or	Grounds for Revocation of license
21	body of persons under this Act may revoke the licence where the licence has	
22	breached any terms or conditions of the grant of licence or permit which	
23	breach may then expose the general public to the hazards of explosion.	
24	16. Any person or body of persons who contravenes any of the	Offences
25	provisions of the Act is guilty of an offence.	
26	17. Any person or body of persons who imports, manufactures,	Penalties and fines
27	stores, distributes, uses firecrackers and other pyrotechnic devices in	
28	violation of the provisions of this Act shall be punished by a fine of not less	
29	than N100,000:00 (One Hundred Thousand Naira) or imprisonment of not	
30	less than 6 (six) months or both such fine and imprisonment.	

Power of Police to make regulations	1	18. The appropriate authorities may make regulations regarding the
	2	importation, manufacture, storage, distribution or the use of fireworks and
	3	other pyrotechnic devices and licensing having regards to public safety and
	4	security.
Short Title	5	19. This Bill may be cited as the Fireworks and Explosives Bill, 2016.

EXPLANATORY MEMORANDUM

This Bill seeks to make comprehensive provisions for the regulation of Importation, Manufacture, Storage, Distribution and the use of Firecrackers and other pyrotechnic devices having regard to public safety and security of lives and property.