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DECREE

of ...

amending Decree No 288/2015 on the performance of fireworks operations

Pursuant to § 32(1) and (3) and § 37(1) of Act No 206/2015 on pyrotechnic articles and the handling thereof and on amendments to certain acts (the Pyrotechnics Act), as amended by Act No 344/2025, the Czech Mining Authority lays down the following:

Article I

Decree No 288/2015 on the performance of fireworks operations is amended as follows:

1. In the introductory sentence, the words ‘33(6)’ are replaced by the words ‘32(1)’, the words ‘§ 36’ are deleted, the words ‘and § 37(1)’ are inserted after ‘(3)’ and the words ‘, as amended by Act No 344/2025’ are added at the end.
2. § 1 reads as follows:

‘§ 1

Subject matter

This Decree lays down

- a) requirements for ensuring the protection of life, health and property during the performance of fireworks operations;
- b) requirements for the content of the technical procedure for fireworks operations;
- c) a model document certifying professional competence and demonstrating authorisation to handle pyrotechnic articles.’.

3. In § 2, point (b) is deleted.

Points (c) to (h) are renumbered as (b) to (g).

Footnote 2 is deleted.

4. In § 2(b), § 4(3), § 5(2), § 6(3), Annex 1, point 4, Annex 1, point 10, Annex 1, point 13 and Annex 1, point 15, the word ‘fireworks’ is replaced by the words ‘fireworks operation’.
5. In § 2(f), the comma at the end is replaced by a full stop.
6. In § 2, point (g) is deleted.
7. In § 3(1)(b), the words ‘or the general technical procedure for fireworks operations³⁾ (hereinafter the ‘technical procedure’)

Footnote 3 is deleted.

8. In § 3(1)(c), the words ‘decision to’ are deleted and the word ‘notification⁵⁾’ is replaced by the word ‘notice⁵⁾’.

Footnote 5 reads as follows:

‘⁵⁾ § 35 of Act No 206/2015.’.

9. In § 3, paragraph (2) reads as follows:

‘(2) Any apparently inoperative or damaged pyrotechnic article shall be destroyed or disposed of immediately in accordance with the technical procedure. The technical procedure shall take into account the instructions for use if those instructions specify a method of destruction or disposal and, at the same time, adequately ensure that there is no risk to life, health or property.’.

10. In § 3, paragraph (4) reads as follows:

‘(4) Only persons who perform tasks associated with the preparation and performance of a fireworks operation and who have been familiarised by the principal fireworks operation operator with the technical procedure, the permit for the fireworks operation or the measures set out in the notice, to the extent that these concern them, may be present in the handling area when pyrotechnic articles are being handled. The person referred to in the first sentence must be familiarised before preparatory work begins or, at the latest, before they begin performing the task in question. Signed records confirming that all persons involved in the preparation and performance of the fireworks operation have been familiarised with their responsibilities by the principal fireworks operation operator shall be attached to the technical procedure before discharge at the latest.’.

11. In § 4(1), the word ‘fireworks⁶⁾’ is replaced by the words ‘fireworks operation⁶⁾’, the words ‘decision to’ are deleted and the word ‘notification’ is replaced by the word ‘notice’.

Footnote 6 reads as follows:

‘⁶⁾ § 32(1) of Act No 206/2015.’.

12. In § 5(1), the words ‘decision to’ are deleted and the words ‘or notification’ are replaced by the words ‘or notice’.

13. In § 5(2), the words ‘light or flag’ are replaced by the words ‘a high-visibility vest, company identification or other suitable means’.

14. In § 5, paragraph (3) reads as follows:

‘(3) The locations of shelters for persons, marshal posts and places of discharge shall be set out in the technical procedure. These locations shall be determined according to local conditions, with a view to protecting life, health and property from the adverse effects of the pyrotechnic article being discharged.’.

15. In § 6, paragraph (1) is deleted.

Paragraphs (2) to (4) are renumbered as paragraphs (1) to (3).

16. In § 7, the following sentence is added at the end: ‘The handling area must be marked out on site throughout the preparation of the fireworks operation.’.

17. In § 8, paragraph (2) is deleted and paragraph (1) becomes unnumbered.

18. § 9 to § 11 are deleted.

Footnotes 7 and 8 are deleted.

19. In § 12(1), the number '10' is replaced by the number '5'.

20. In the heading of § 13, the word 'Certificate' is replaced by the word 'Document'.

21. In § 13, the word 'certificate' is replaced by the word 'document'.

22. In § 13, the words 'for the handling of pyrotechnic articles' are deleted.

23. In Annex 1, point 3, the word 'fireworks' is replaced by the words 'fireworks operation'; the word 'reference' is inserted before the word 'number', the words 'or document' are inserted after the word 'certificate', and the words 'competence¹⁾ to' are replaced by the words 'competence for'.

24. In Annex 1, point 5 is deleted.

Points 6 to 23 are renumbered as points 5 to 22.

25. In Annex 1, point 8 is deleted.

Points 9 to 22 are renumbered as points 8 to 21.

26. In Annex 1, point 11, the words 'pursuant to § 11' are deleted.

27. In Annex 1, point 20 reads as follows:

'20. a site plan at a scale ensuring that the information is sufficiently legible and clear, showing in particular the safety zone, the siting of marshals, the information referred to in point 7 and the nearest objects, areas and phenomena protected under the Pyrotechnics Act⁹⁾ or other legislation¹⁰⁾, including their distance from the launch site'.

The following footnote 9 is added:

'⁹⁾ § 35b of Act No 206/2015.'.

The following footnote 10 is added:

'¹⁰⁾ For example, § 20(2) of Act No 289/1995 on forests and on amendments to certain acts, and § 16(1)(k) of Act No 114/1992 on nature and landscape protection.'.

28. In Annex 1, point 21 is deleted.

29. Annex 2 reads as follows:

Model document certifying professional competence

1. Description

a) A document certifying professional competence is issued in the form of a plastic card measuring 85.60×53.98 mm, with rounded corners having a radius of 2.88 to 3.48 mm.

b) At the top of the front side of the document certifying professional competence appears the text ‘DOCUMENT CERTIFYING PROFESSIONAL COMPETENCE FOR HANDLING PYROTECHNIC ARTICLES’. Where a duplicate of the document certifying professional competence is issued, the word ‘DUPLICATE’ appears in brackets after this text. The upper right section bears a small national emblem, while the left side bears a 20×26 mm colour photograph of the holder of the document certifying professional competence; the technical specifications for the photograph correspond to those applicable to photographs for national identity cards. Below the photograph appears the text ‘CATEGORIES OF PYROTECHNIC ARTICLES:’, followed by a field for indicating the category of pyrotechnic articles that the holder is professionally competent to handle; next to the photograph appears the text ‘NAME:’, followed by a field for entering the holder’s first name(s); then the text ‘SURNAME:’, followed by a field for entering the holder’s surname; then the text ‘DATE OF BIRTH:’, followed by a field for entering the holder’s date of birth in the format dd.mm.yyyy; then the text ‘ISSUED BY THE CZECH MINING AUTHORITY ON, REF. NO.:’, followed by fields for entering the date of issue of the document certifying professional competence in the format dd.mm.yyyy and its reference number; and then the text ‘VALID UNTIL:’, followed by a field for entering the document’s expiry date in the format dd.mm.yyyy. The fields referred to in the previous sentence have a white background, and the text in them is printed in black uppercase sans-serif block letters or, where applicable, large sans-serif numerals. The background of the front side is green, fading to black.

c) The reverse side has a white background and bears the following text in black sans-serif type in the centre: ‘This document certifying professional competence for handling pyrotechnic articles is a public document demonstrating that its holder is authorised to handle pyrotechnic articles of the relevant categories. Anyone who finds this document is requested to hand it in to the Czech Mining Authority. Any alteration, forgery or misuse of this document is a criminal offence.’

2. Image of the front side of the model document certifying professional competence

DOKLAD O ODBORNÉ ZPŮSOBILOSTI PRO ZACHÁZENÍ S PYROTECHNICKÝMI VÝROBKÝ	DOCUMENT CERTIFYING PROFESSIONAL COMPETENCE FOR HANDLING PYROTECHNIC ARTICLES
JMÉNO	NAME
PŘIJMENÍ	SURNAME
DATUM NAROZENÍ	DATE OF BIRTH
VYDAL ČESKÝ BÁŇSKÝ ÚŘAD DNE POD ČJ.	ISSUED BY THE CZECH MINING AUTHORITY ON, REF. NO.
KATEGORIE PYROTECHNICKÝCH VÝROBKŮ	CATEGORIES OF PYROTECHNIC ARTICLES
PLATNOST DO:	VALID UNTIL:

3. Image of the reverse side of the model document certifying professional competence

Tento doklad o odborné způsobilosti pro zacházení s pyrotechnickými výrobky je veřejnou listinou, která prokazuje, že jeho držitel je oprávněn zacházet s pyrotechnickými výrobky příslušných kategorií.

**Nálezce tohoto dokladu se žádá o jeho odevzdání Českému báňskému úřadu.
Pozměnění, padělání nebo zneužití dokladu je trestné.**

This document certifying professional competence for handling pyrotechnic articles is a public document demonstrating that its holder is authorised to handle pyrotechnic articles of the relevant categories.

Anyone who finds this document is requested to hand it in to the Czech Mining Authority.

Any alteration, forgery or misuse of the document is a criminal offence.

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30. Footnote 1 reads as follows:

‘¹⁾ § 3(w) of Act No 206/2015 on pyrotechnic articles and the handling thereof and on amendments to certain acts (the Pyrotechnics Act).’.

31. Footnote 4 reads as follows:

‘⁴⁾ § 33(5) of Act No 206/2015.’.

Article II

Final provisions

1. This Decree 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.

Article III

Effective date

This Decree shall take effect on

Chairperson:

Ing. Martin Štemberka, Ph.D.