

Message 001

Communication from the Commission - TRIS/(2025) 1076

Directive (EU) 2015/1535

Notification: 2025/0206/LU

Notification of a draft text from a Member State

Notification – Notification – Notifizierung – Нотификация – Oznámení – Notifikation – Γνωστοποίηση – Notificación – Teavitamine – Ilmoitus – Obavijest – Bejelentés – Notifica – Pranešimas – Paziņojums – Notifika – Kennisgeving – Zawiadomienie – Notificação – Notificare – Oznámenie – Obvestilo – Anmälan – Fógra a thabhairt

Does not open the delays - N'ouvre pas de délai - Kein Fristbeginn - Не се предвижда период на прекъсване - Nezahajuje prodlení - Fristerne indledes ikke - Καμμία έναρξη προθεσμίας - No abre el plazo - Viivituste perioodi ei avata - Määräaika ei ala tästä - Ne otvara razdoblje kašnjenja - Nem nyitja meg a késésekét - Non fa decorrere la mora - Atidėjimai nepradedami - Atlikšanas laikposms nesākas - Ma jiftaħ il-perijodi ta' dewmien - Geen termijnbegin - Nie otwiera opóźnień - Não inicia o prazo - Nu deschide perioadele de stagnare - Nezačína oneskorenia - Ne uvaja zamud - Inleder ingen frist - Ní osclaíonn sé na moilleanna

MSG: 20251076.EN

1. MSG 001 IND 2025 0206 LU EN 14-04-2025 LU NOTIF

2. Luxembourg

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4. 2025/0206/LU - S70E - Hazardous substances and preparations

5. Bill modifying the amended Act of 27 May 2016 on the making available on the market of pyrotechnic articles

6. The purpose of this bill is to make amendments to the amended Act of 27 May 2016 concerning the making available on the market of pyrotechnic articles and to transpose several decisions of the Benelux Committee of Ministers

7.

8. The amended Act of 27 May 2016 on the making available on the market of pyrotechnic articles (hereinafter referred to as 'the Act of 27 May 2016') transposes into national law 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 and lays down rules to ensure the free movement of pyrotechnic articles on the Luxembourg market while taking into account the safety and protection of users and the environment.

The Act of 27 May 2016 provides, inter alia, for the classification of pyrotechnic articles into different categories according to their use type, purpose or level of risk, as well as their equivalent continuous sound level. Some of these pyrotechnic articles may only be made available on the market to persons with special knowledge.

9. This bill intends to transpose into national law the decision of 7 December 2020 of the Benelux Committee of Ministers on the introduction of a pyro-pass - M (2020) 14, as amended by the decision of 27 September 2022 of the Benelux Committee of Ministers - M (2022) 9, which aims to introduce a uniform control document (pyro-pass), so that a person wishing to purchase the pyrotechnic articles concerned can prove, even in a cross-border context, that he has the required knowledge.

The present bill provides that this uniform control document shall be issued either by the Labour and Mining Inspectorate or by an authority of another Benelux Member State and that it shall enable economic operators of the three Benelux countries to carry out an adequate assessment of the authenticity and validity of said document and to more easily verify whether the person wishing to purchase the pyrotechnic articles is a person with special knowledge.

This bill also provides that economic operators may make available on the market the pyrotechnic articles concerned not only to persons holding a certificate of competence or a pyro-pass issued by the Labour and Mines Inspectorate, but also to persons holding a document issued by a competent authority of another Member State of the European Union certifying that the holder is a person with special knowledge.

This bill therefore intends to transpose into national law the decision of 27 September 2022 of the Benelux Committee of Ministers on combating the vexatious use of pyrotechnic articles intended for use by the general public – M (2022) 7, which provides that pyrotechnic articles of categories F3 and T1 and some of the other pyrotechnic articles of category P1 listed in Annexes I and II to that decision may be placed on the market only to persons with special knowledge.

The present bill also provides that the Labour and Mining Inspectorate shall make available to economic operators an IT tool that must be used to verify the validity of the title of competence which it has issued.

Finally, it is provided that the Inspectorate of Labour and Mines may withdraw the title of competence from persons who no longer meet the conditions for obtaining the title laid down by grand-ducal regulation or who have made vexatious use of the title of competence.

10. References to basic texts:

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

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