

Message 001

Communication from the Commission - TRIS/(2026) 0187

Directive (EU) 2015/1535

Notification: 2026/0018/NL

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: 20260187.EN

1. MSG 001 IND 2026 0018 NL EN 19-01-2026 NL NOTIF

2. Netherlands

3A. Ministerie van Financiën, Douane Groningen, CDIU.

3B. Ministerie van Infrastructuur en Waterstaat, Hoofddirectie Bestuurlijke en Juridische Zaken, Afdeling Milieu

4. 2026/0018/NL - X00M - GOODS AND MISCELLANEOUS PRODUCTS

5. Decree of [date] amending the Fireworks Decree and the Transport of Dangerous Goods Decree in connection with the Safe New Year's Eve Act (Safe New Year's Eve Decree)

6. Pyrotechnic articles

7.

8. The Safe New Year's Eve Decree is an elaboration of the Safe New Year's Eve Act (2025/0338/NL) whereby the Environmental Management Act has been amended in such manner that prohibitions are introduced on the possession and use by the general public of F2 and F3-category fireworks and also on the sale to the general public of the said fireworks. Mayors have also been conferred the power to grant exemptions from these prohibitions for organised groups of citizens around the turn of the year.

The Safe New Year's Eve Decree, insofar as it amends the Fireworks Decree in Article I, specifies the conditions under which an exemption may be granted, the conditions attached to an exemption and rules on the sale of fireworks. Article II amends the Transport of Dangerous Goods Decree in such manner that private individuals are no longer permitted to transport fireworks other than those in category F1. Articles I and II may contain technical regulations because they regulate and, thus, restrict the free movement of fireworks.

No provision of mutual recognition has been included as this is not possible. These are other requirements that are not linked to the products themselves but to the actions for which they may or may not be used within the territory of the Netherlands.

9. With a view to the safety and protection of the environment, the Safe New Year's Eve Decree aims to provide the most comprehensive framework possible for the power that mayors have to grant exemptions to organised groups of citizens from the prohibition against setting off fireworks in the New Year's Eve period. The introduction of this Decree is necessary because mayors would otherwise have unrestricted powers of exemption and have to weigh up the interests of safety and protection of the environment themselves, despite not being equipped to do so. Amendments to the Fireworks Decree and the Transport of Dangerous Goods Decree are also necessary to bring both decrees into line with the Safe New Year's Eve Act.

The Safe New Year's Eve Decree is non-discriminatory, as it applies to all municipalities, all applicants for exemptions (associations and foundations), all fireworks sellers (in connection with the rules on sales) and all private individuals (e.g. in connection with the prohibition on transport). The decree is proportionate because it is an appropriate means for the protection of safety and the environment and does not go beyond what is necessary, partly in order to prevent overregulation. The decree aims to achieve minimum harmonisation between municipalities in the interests of safety and protection of the environment, without unnecessarily restricting the autonomous powers of municipalities. For example, mayors themselves may decide on the number of exemptions to be issued, the locations to which those exemptions relate and the safety distances to be respected, taking into account local circumstances. In this sense, the decree is the expression of the least restrictive means of framing the power that mayors have to grant exemptions.

10. Numbers or titles of the basic texts: The basic texts were submitted with a previous notification:
2025/0338/NL

11. No

12.

13. No

14. No

15. No

16.

TBT aspects: No

SPS aspects: No

European Commission

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