



# Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

## AIR WEAPONS AND LICENSING (SCOTLAND) ACT 2015

### PART 1

#### AIR WEAPONS

##### *Meaning of air weapon*

- 1 Meaning of “air weapon”

##### *Air weapon certificates*

- 2 Requirement for air weapon certificate
- 3 Application for grant or renewal of air weapon certificate
- 4 Verification of applications
- 5 Grant or renewal of air weapon certificate
- 6 Air weapon certificate: conditions
- 7 Special requirements and conditions for young persons
- 8 Duration of air weapon certificate
- 9 Alignment of different types of certificate
- 10 Variation of air weapon certificate
- 11 Revocation of air weapon certificate

##### *Permits*

- 12 Police permits
- 13 Visitor permits
- 14 Visitor permits: young persons
- 15 Police and visitor permits: conditions
- 16 Police and visitor permits: variation and revocation
- 17 Event permits

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### *Air weapon clubs and recreational shooting facilities*

- 18 Approval of air weapon clubs
- 19 Variation of approval
- 20 Duration of approval
- 21 Alignment of club approvals
- 22 Power to enter and inspect club premises
- 23 Requirements for recreational shooting facilities

### *Transactions involving air weapons and commercial matters*

- 24 Restrictions on transactions involving air weapons
- 25 Requirement for commercial sales of air weapons to be in person

### *Enforcement*

- 26 Power of search with warrant
- 27 Production of air weapon certificate
- 28 Cancellation of air weapon certificate
- 29 Forfeiture and disposal of air weapons

### *Offences*

- 30 Failure to keep air weapons secure or to report loss to police
- 31 False statements, certificates and permits
- 32 Time limit for offences
- 33 Offences by bodies corporate etc.

### *General*

- 34 Appeals
- 35 Fees
- 36 Power to make further provision
- 37 Crown application
- 38 Transitional arrangements for existing certificate holders
- 39 Guidance
- 40 Interpretation of Part 1

## **PART 2**

### **ALCOHOL LICENSING**

#### *Licensing objectives*

- 41 Licensing objectives: protecting young persons from harm

#### *Statements of licensing policy*

- 42 Statements of licensing policy: licensing policy periods

#### *Fit and proper person test*

- 43 Premises licence application: ground for refusal
- 44 Application to transfer premises licence: ground for refusal
- 45 Ground for review of premises licence
- 46 Personal licence applications and renewals: ground for refusal
- 47 Personal licence holders: procedure on receipt of notice of conviction

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- 48 Personal licence holders: conduct inconsistent with the licensing objectives

*Transfer of premises licences*

- 49 Transfer of premises licences

*Relevant offences and foreign offences*

- 50 Premises licences: procedure in relation to relevant offences or foreign offences  
51 Personal licences: procedure in relation to relevant offences or foreign offences  
52 Relevant offences and foreign offences: spent convictions

*Supply of alcohol to a child or young person*

- 53 Offences of supplying alcohol to a child or young person

*Miscellaneous*

- 54 Meaning of “alcohol”: inclusion of angostura bitters  
55 Overprovision  
56 Duties of Licensing Boards to produce annual reports  
57 Licensing Standards Officers: general function in relation to personal licences  
58 Powers of Licensing Standards Officers  
59 Interested parties  
60 Personal licences: grant, duration and renewal  
61 Processing and deemed grant of applications  
62 Form etc. of communications under the 2005 Act

**PART 3**

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*Taxis and private hire cars*

- 63 Refusal to grant private hire car licences on grounds of overprovision  
64 Testing of private hire car drivers  
65 Exemptions from requirements of sections 10 to 21 of 1982 Act

*Metal dealers*

- 66 Penalties for failure to have appropriate licence or comply with conditions  
67 Removal of exemption warrants for certain metal dealers  
68 Abolition of requirement to retain metal for 48 hours  
69 Acceptable forms of payment for metal  
70 Metal dealers and itinerant metal dealers: records  
71 Register of dealers in metal  
72 Interpretation of provisions relating to metal dealers etc.  
73 Exemptions from requirements of sections 28 to 37 of 1982 Act

*Public entertainment venues*

- 74 Licensing of theatres etc.

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- 75 Restriction of exemption from requirement for public entertainment licence

*Sexual entertainment venues*

- 76 Licensing of sexual entertainment venues

*Miscellaneous and general*

- 77 Deemed grant of applications  
78 Revocation of Part 2 licences  
79 Procedure for hearings  
80 Conditions for Part 3 licences  
81 Conditions for Part 3 licences: displays or advertising  
82 Civic licensing standards officers  
83 Electronic communications under the 1982 Act

**PART 4**

**GENERAL**

- 84 Interpretation  
85 Regulations  
86 Ancillary provision  
87 Minor and consequential amendments and repeals  
88 Commencement  
89 Short title

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SCHEDULE 1 — EXEMPTIONS

*Approved air weapon clubs*

- 1 It is not an offence under section 2(1) for an...

*Registered firearms dealers and their employees*

- 2 (1) It is not an offence under section 2(1) for...

*Auctioneers*

- 3 (1) It is not an offence under section 2(1) for...

*Carriers and warehouse keepers*

- 4 It is not an offence under section 2(1) for an...

*Artistic performers*

- 5 (1) It is not an offence under section 2(1) for...

*Cadet corps*

- 6 (1) It is not an offence under section 2(1) for...

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*Bodies corporate etc.*

7 (1) It is not an offence under section 2(1) for...

*Holders of police permits*

8 (1) It is not an offence under section 2(1) for...

*Holders of visitor permits*

9 It is not an offence under section 2(1) for an...

*Authorised events*

10 (1) It is not an offence under section 2(1) for...

*Supervised use of air weapons on private land*

11 (1) It is not an offence under section 2(1) for...

*Use of air weapons at recreational shooting facilities*

12 (1) It is not an offence under section 2(1) for...

*Museums*

13 (1) It is not an offence under section 2(1) for...

*Air weapons on ships*

14 It is not an offence under section 2(1) for a...

*Purchase of air weapons for delivery outwith Scotland*

15 It is not an offence under section 2(1) for an...

*Loaning of air weapons for exempted purposes*

16 (1) It is not an offence under section 24(1) or...

*Public servants carrying out official duties*

17 (1) It is not an offence under this Part for...

*Holders of certificates or permits with conditions*

18 (1) It is not an offence under section 6(4) for...

*Use or possession of air weapons on service premises*

19 (1) It is not an offence under section 2(1) for...

*Use or possession of air weapons on Ministry of Defence Police premises*

20 (1) It is not an offence under section 2(1) for...

SCHEDULE 2 — MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

PART 1 — AMENDMENTS AND REPEALS RELATING TO PART 1

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*Firearms Act 1968*

- 1 (1) The Firearms Act 1968 is amended as follows.

*Criminal Procedure (Scotland) Act 1995*

- 2 In Schedule 9 to the Criminal Procedure (Scotland) Act 1995...

*Violent Crime Reduction Act 2006*

- 3 Section 32 of the Violent Crime Reduction Act 2006 (sales...  
PART 2 — AMENDMENTS RELATING TO PART 2

*Licensing (Scotland) Act 2005*

- 4 (1) The 2005 Act is amended as follows.  
PART 3 — AMENDMENTS RELATING TO PART 3

*Civic Government (Scotland) Act 1982*

- 5 (1) The 1982 Act is amended as follows.

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**Changes and effects yet to be applied to :**

- s. 41 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 43 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 44 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 45 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 46 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 47 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 48 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 50 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 51 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 53 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 54 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 56 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 57 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 58 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 60(3)-(5) coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 62 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- s. 63 coming into force by [S.S.I. 2016/307 art. 2 Sch.](#)
- s. 77 coming into force by [S.S.I. 2016/307 art. 2 Sch.](#)
- s. 82 coming into force by [S.S.I. 2016/307 art. 2 Sch.](#)
- s. 87 coming into force by [S.S.I. 2017/119 art. 2 sch.](#)
- sch. 2 para. 4(1)(3)(5)(7) coming into force by [S.S.I. 2017/119 art. 2 sch.](#)