



# Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

## PART 1

### AIR WEAPONS

#### *General*

#### **40 Interpretation of Part 1**

- (1) In this Part, unless the context otherwise requires—
- “the 1968 Act” means the Firearms Act 1968,
  - “acquire” means hire, accept as a gift or borrow and “acquisition” is to be construed accordingly,
  - “air weapon” is to be construed in accordance with section 1,
  - “air weapon certificate” means an air weapon certificate granted under section 5(1),
  - “air weapon club” means an association of individuals which has as a purpose the activity of target shooting with air weapons,
  - “air weapon offence” means any offence under this Part,
  - “approval”, in relation to an air weapon club, means an approval granted to the club under section 18(1),
  - “approved air weapon club” means an air weapon club which has been granted an approval by the chief constable under section 18(1),
  - “chief constable” means the chief constable of the Police Service of Scotland,
  - “condition” includes requirement and restriction,
  - “constable” has the meaning given in section 99(1) of the Police and Fire Reform (Scotland) Act 2012,
  - “event permit” means a permit granted under section 17(1),
  - “firearm certificate” is to be construed in accordance with section 57(4) of the 1968 Act,

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*Changes to legislation: There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 40. (See end of Document for details)*

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“guardian”, in relation to an individual, means a person appointed by deed or will or by a court of competent jurisdiction to be the guardian of the individual,  
 “member of police staff” means an individual appointed under section 26 of the Police and Fire Reform (Scotland) Act 2012,

“member of staff of the Scottish Police Authority” means an individual appointed under paragraph 6(1) of schedule 1 to the Police and Fire Reform (Scotland) Act 2012,

“miniature rifle range” is to be construed in accordance with section 11 of the 1968 Act,

“museum” means a museum or similar institution which has as its purpose, or one of its purposes, the preservation for the public benefit of a collection of historical, artistic or scientific interest which is maintained wholly or mainly out of money provided by Parliament, a Minister of the Crown, the Scottish Ministers or a local authority,

“police permit” means a permit granted under section 12(1),

“premises” means any place and includes a vehicle, vessel or moveable structure,

“prescribed” means prescribed in regulations made under section 36,

“registered firearms dealer” means a person registered as a firearms dealer under section 33 of the 1968 Act,

“relative”, in relation to an individual, means—

- (a) the spouse, civil partner, parent, stepparent, child, stepchild, grandparent or grandchild of the individual or of the individual's spouse, former spouse, civil partner or former civil partner, or
- (b) the sibling, uncle, aunt, nephew or niece (whether of the full blood or of the half blood or by affinity) of the individual or the individual's spouse, former spouse, civil partner or former civil partner,

and includes, in relation to an individual who is living or has lived with another individual as if they were spouses or civil partners, any individual who would fall within paragraph (a) or (b) if the parties were married or civilly partnered to each other,

“shot gun certificate” is to be construed in accordance with section 57(4) of the 1968 Act,

“transfer” includes let on hire, give, lend and part with possession,

“visitor permit” means a permit granted under section 13(1).

- (2) In this Part, a reference to an individual holding an air weapon certificate, a police permit or a visitor permit is a reference to an individual holding an air weapon certificate, police permit or, as the case may be, visitor permit—
  - (a) granted to the individual under section 5, 12 or, as the case may be, 13, and
  - (b) which has not expired or been revoked or cancelled.
- (3) In this Part, a reference to a condition attached to an air weapon certificate, police permit, visitor permit, event permit or approval of an air weapon club includes a reference to any condition to which the certificate, permit or as the case may be, approval is subject by virtue of this Act.
- (4) Any expression used in this Part which is also used in an Act listed in subsection (5) is, unless the context otherwise requires, to be construed in accordance with any decisions or opinions of a court interpreting the expression for the purposes of the Act.
- (5) The Acts are—

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**Changes to legislation:** There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 40. (See end of Document for details)

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- (a) the 1968 Act,
- (b) the Firearms (Amendment) Act 1988, and
- (c) the Firearms (Amendment) Act 1997.

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**Commencement Information**

**II** [S. 40](#) in force at 1.12.2015 by [S.S.I. 2015/382](#), art. 2, [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 40.