

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend schedule 1 of the Air Weapons and Licensing (Scotland) Act 2015 (“the Act”), by extending the list of exemptions from the requirement to hold an air weapon certificate.

Section 2(1) of the Act makes it an offence for a person to use, possess, purchase or acquire an air weapon without holding an air weapon certificate. Schedule 1 of the Act sets out various exemptions from this offence, some of which replicate existing exemptions from the firearms licensing regime under the Firearms Act 1968 (c.27). These include certain exemptions for members of an approved cadet corps, members of the Ministry of Defence Police and persons in Her Majesty’s armed forces.

The Regulations amend schedule 1 of the Act so as to further exempt—

- (a) individuals who use or possess air weapons on service premises, while under the supervision of a person in Her Majesty’s armed forces (this largely replicates the exemption in section 16A of the Firearms (Amendment) Act 1988 (c.45)); and
- (b) individuals who use or possess air weapons on Ministry of Defence Police premises, while being trained or assessed in their use under the supervision of a member of the Ministry of Defence Police (this replicates the exemption in section 16B of the Firearms (Amendment) Act 1988).