

2015 No. 382 (C. 48)

ARMS AND AMMUNITION

CRIMINAL LAW

LICENCES AND LICENSING

LICENSING (LIQUOR)

**The Air Weapons and Licensing (Scotland) Act 2015
(Commencement No. 1) Order 2015**

Made - - - - *11th November 2015*

Laid before the Scottish Parliament *13th November 2015*

Coming into force - - *1st December 2015*

The Scottish Ministers make the following Order in exercise of the power conferred by section 88(2) of the Air Weapons and Licensing (Scotland) Act 2015(a).

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Air Weapons and Licensing (Scotland) Act 2015 (Commencement No. 1) Order 2015 and comes into force on 1st December 2015.

(2) In this Order, “the 2015 Act” means the Air Weapons and Licensing (Scotland) Act 2015.

Appointed day

2.—(1) 1st December 2015 is the day appointed for the coming into force of the provisions of the 2015 Act specified in column 1 of the table in the Schedule (the subject matter of which is described in column 2 of that table).

(2) Where a purpose is specified in column 3 of that table in relation to any provision specified in column 1, that provision comes into force on 1st December 2015 for that purpose only.

St Andrew's House,
Edinburgh
11th November 2015

MICHAEL MATHESON
A member of the Scottish Government

SCHEDULE

Article 2

PROVISIONS OF THE 2015 ACT WHICH COME INTO FORCE ON 1ST DECEMBER 2015

<i>Column 1</i> <i>Provisions of the 2015 Act</i>	<i>Column 2</i> <i>Subject matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 1	Meaning of “air weapon”	
Section 2(4)	Requirement for air weapon certificate	
Section 35(1), (2) and (4)	Fees	
Section 36	Power to make further provision	
Section 39(2) and (3)	Guidance	
Section 40	Interpretation of Part 1	
Section 56	Duties of Licensing Boards to produce annual reports	For the purposes of making regulations under sections 9A(6) and 9B(5) of the 2005 Act.
Section 65(1), (2), (4) and (5)	Exemptions from requirements of sections 10 to 21 of the 1982 Act	
Section 70(1) and (3)	Metal dealers and itinerant metal dealers: records	For the purpose of inserting section 33C into the 1982 Act, but only for the purpose of making regulations under section 33C(6) of that Act.
Section 73	Exemptions from requirements of sections 28 to 37 of the 1982 Act	
Section 76(1) and (3)	Licensing of sexual entertainment venues	For the purpose of inserting section 45A into the 1982 Act, but only for the purposes of making orders under section 45A(7)(b) and (11) of that Act.
Section 79	Procedure for hearings	
Section 80(1) and (2)	Conditions for Part 3 licences	For the purpose of inserting section 45E into the 1982 Act, but only for the purpose of making an order under section 45E(1) of that Act.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order commences certain provisions in Parts 1 (air weapons), 2 (alcohol licensing) and 3 (civic licensing) of the Air Weapons and Licensing (Scotland) Act 2015 (“the Act”).

It brings into force, on 1st December 2015, the provisions specified in the Schedule to the Order, some of which are brought partially into force on that date for limited purposes only. They are provisions relating to the interpretation of Part 1 of the Act and provisions which enable subordinate legislation to be made, and guidance to be issued, under that Part. They also include provisions in Parts 2 and 3 of the Act which enable subordinate legislation to be made under the Licensing (Scotland) Act 2005 (asp 16) and the Civic Government (Scotland) Act 1982 (c.45) respectively.

The Bill for the Act received Royal Assent on 4th August 2015. Sections 60(1) and (2), 84, 85, 86, 88 and 89 of the Act came into force on the following day.

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