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SCOTTISH STATUTORY INSTRUMENTS

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**2016 No. 188**

**The Air Weapons Licensing (Scotland) Regulations 2016**

**PART 1**

General provisions

**Citation and commencement**

1. These Regulations may be cited as the Air Weapons Licensing (Scotland) Regulations 2016 and come into force on 1st July 2016.

**Interpretation**

- 2.—(1) In these Regulations, “table of fees” means the table of fees in schedule 3.
- (2) In these Regulations, any reference to—
- (a) a numbered form is a reference to the form so numbered in schedule 1; and
  - (b) a numbered section is a reference to the section so numbered in the Air Weapons and Licensing (Scotland) Act 2015.

**PART 2**

Forms and procedure etc.

**Air weapon certificates**

3.—(1) An application for the grant or renewal of an air weapon certificate made under section 3(1) must—

- (a) be in the form of Form AWL1;
  - (b) for the purpose of section 4(1), be verified in the form set out in Part E of Form AWL1;
  - (c) for the purpose of section 7(2), be consented to in the form set out in Part D of Form AWL1 where the applicant is under the age of 18; and
  - (d) be accompanied by two identical photographs of the applicant which meet the requirements in regulation 4.
- (2) An air weapon certificate granted or renewed under section 5(1) must—
- (a) be in the form of Form AWL1a; and
  - (b) bear a photograph of the holder of the certificate.

**Photograph requirements**

4. The requirements mentioned in regulation 3(1)(d) are that—

- (a) each photograph must—
  - (i) measure 45 millimetres high by 35 millimetres wide;
  - (ii) be taken against a light background;
  - (iii) show a current true likeness of the applicant; and
  - (iv) show the applicant’s full face, without the applicant wearing any sunglasses, tinted glasses or head covering (unless the applicant wears a head covering on account of religious belief); and
- (b) the back of one of the photographs must be signed, in ink, by the applicant.

**Police permits and visitor permits**

- 5.—(1) An application for the grant of a police permit made under section 12(1) must be in the form of Form AWL2.
- (2) A police permit granted under section 12(1) must be in the form of Form AWL2a.
  - (3) An application for the grant of a visitor permit made under section 13(1) or (2) must—
    - (a) be in the form of Form AWL3; and
    - (b) for the purpose of section 14(2), be consented to—
      - (i) in the form set out in Part D of Form AWL3 where an individual applicant is under the age of 18; or
      - (ii) by a parent or guardian signing the final column of the table in Part E of Form AWL3 in respect of any individual who is under the age of 18 and on whose behalf a visitor permit is applied for as part of a group application.
  - (4) A visitor permit granted under section 13(1) must be in the form of Form AWL3a.

**Variation of air weapon certificates, police permits and visitor permits**

- 6.—(1) This regulation applies to an application for the variation of—
  - (a) an air weapon certificate made under section 10(2)(a); or
  - (b) a police permit or a visitor permit made under section 16(2)(a).
- (2) The application must be in the form of Form AWL4.
- (3) Where the applicant is under the age of 18, the applicant’s parent or guardian must consent to the making of the application in the form set out in Part D of Form AWL4.

**Event permits**

- 7.—(1) An application for the grant of an event permit made under section 17(1) must be in the form of Form AWL5.
- (2) An event permit granted under section 17(1) must be in the form of Form AWL5a.

**Approval of air weapon clubs**

- 8.—(1) An application for the grant or renewal of an approval of an air weapon club made under section 18(1) must be in the form of Form AWL6.
- (2) An approval of an air weapon club granted or renewed under section 18(1) must be in the form of Form AWL6a.
- (3) An application for the variation of an approved air weapon club’s approval made under section 19(2)(a) must be in the form of Form AWL7.

### **Prescribed mandatory conditions**

9. Schedule 2 prescribes mandatory conditions for the purposes of—
- (a) section 6(1) (air weapon certificate: conditions);
  - (b) section 15(1) (police and visitor permits: conditions); and
  - (c) section 18(4) (approval of air weapon clubs).

### **Replacement certificates, permits and approvals**

10.—(1) This regulation applies where any air weapon certificate, police permit, visitor permit, event permit or approval of an air weapon club has been damaged, destroyed, lost or stolen.

(2) The holder of the certificate or permit, or the approved air weapon club (as the case may be), may request that the chief constable issue a replacement.

(3) The chief constable may replace the certificate, permit or approval (as the case may be) when the specified fee is paid.

(4) In paragraph (3), “specified fee” means the fee specified in entry 1, 2 or 3 (as the case may be) of Part 2 of the table of fees.

## **PART 3**

### **Fees**

#### **Fees in respect of applications**

11. The fee to be charged by the chief constable in respect of an application listed in column 1 of Part 1 of the table of fees is the fee specified in relation to that application in column 2 of the table.

#### **Other fees**

12. The fee to be charged by the chief constable in respect of the chief constable’s performance of a function listed in column 1 of Part 2 of the table of fees is the fee specified in relation to that function in column 2 of the table.

#### **Circumstances in which no fee is payable**

13. No fee is payable in respect of an application for the variation of an approved air weapon club’s approval made under section 19(2)(a).

## **PART 4**

### **Transitional provisions**

#### **Duration of air weapon certificates applied for before 31st December 2016**

14. Schedule 4 makes transitional provision in relation to applications for the grant of an air weapon certificate which are made before 31st December 2016, and the fee to be charged by the chief constable in respect of those applications.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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St Andrew's House,  
Edinburgh  
24th May 2016

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A member of the Scottish Government