Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 1

AIR WEAPONS

Permits

16 Police and visitor permits: variation and revocation

(1) The chief constable may, by giving notice to the holder of a police permit or a visitor permit—

(a) vary the permit,

(b) attach conditions to the permit,

(c) vary or revoke a condition attached to the permit other than—

(i) a prescribed mandatory condition which applies to the permit, or

(ii) a condition which must be attached to a permit under this Part, or

(d) revoke the permit.

(2) The chief constable may give a notice under subsection (1)—

(a) on the application of the holder of a police permit or visitor permit, or

(b) of the chief constable's own accord (at any time).

(3) The chief constable may not attach to a police permit or a visitor permit a condition which is inconsistent with—

(a) a prescribed mandatory condition which applies to police permits or, as the case may be, visitor permits, or

(b) a condition which must be attached to the permit under this Part.

(4) For the purposes of paragraphs (a) to (c) of subsection (1), the chief constable may by giving notice to the holder of a police permit or a visitor permit require the holder to produce the permit within the period of 21 days beginning with the date on which the notice is given.

(5) A notice given under subsection (1) which revokes a police permit or a visitor permit must—

(a) be given at least 7 days before the date on which the revocation is to take effect, and

(b) require the holder of the permit to surrender the permit and any air weapons that the holder possesses by such date as the chief constable may specify in the notice.

(6) It is an offence for the holder of a police permit or a visitor permit, without reasonable excuse, to fail to comply with a requirement contained in a notice under subsection (1).

(7) An individual who commits an offence under subsection (6) is liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

(8) In the event that the holder of a police permit or a visitor permit makes an appeal under section 34 against a decision to revoke the holder's permit—

(a) the revocation does not take effect, but

(b) the holder must still surrender the permit and any air weapons that the holder possesses in accordance with the requirements of the notice given under subsection (1),

pending the determination or withdrawal of the appeal.

Commencement Information

I1 S. 16(1)-(5)(8) in force at 1.7.2016 for specified purposes by S.S.I. 2016/130, art. 2, **sch.** (with arts. 5, 6)

I2 S. 16(1)-(5)(8) in force at 31.12.2016 in so far as not already in force by S.S.I. 2016/130, **art. 3(a)** (with art. 4)

I3 S. 16(6)(7) in force at 31.12.2016 by S.S.I. 2016/130, **art. 3(a)** (with art. 4)

Changes to legislation:
There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 16.