



# 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.

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

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- (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.