



Fireworks and Pyrotechnic Articles (Scotland) Act 2022

2022 asp 9

PART 2

FIREWORKS LICENSING

Process for licensing

PROSPECTIVE

14 Appeals

- (1) A person may appeal to the appropriate sheriff against a decision of the Scottish Ministers—
 - (a) to refuse to grant the person a fireworks licence under section 9,
 - (b) to attach an optional condition to the person's fireworks licence under section 10(2)(b), or
 - (c) to revoke the person's fireworks licence under section 12(1).
- (2) An appeal must be made within the period of 21 days beginning with the day on which the decision appealed against was made.
- (3) An appeal under this section is to be determined on the merits (and not by way of review).
- (4) The sheriff hearing the appeal may consider any evidence or other matter, whether or not it was available at the time the Scottish Ministers made the decision being appealed against.
- (5) On determining the appeal, the sheriff may—
 - (a) dismiss the appeal,
 - (b) give the Scottish Ministers such direction as the sheriff considers appropriate in respect of the decision that is the subject of the appeal.
- (6) The determination of the sheriff may be appealed against only on a point of law.

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Fireworks and Pyrotechnic Articles (Scotland) Act 2022, Section 14. (See end of Document for details)

(7) In this section, “the appropriate sheriff” means—

- (a) in a case where the appellant resides in Scotland, a sheriff of the sheriffdom in which the appellant resides, or
- (b) in a case where the appellant resides outwith Scotland, a sheriff of the sheriffdom of Lothian and Borders, sitting at Edinburgh.

Commencement Information

- II** S. 14 not in force at Royal Assent, see [s. 56\(2\)](#)

Status:

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