



# Fireworks and Pyrotechnic Articles (Scotland) Act 2022

2022 asp 9

## PART 2

### FIREWORKS LICENSING

#### *Process for licensing*

PROSPECTIVE

#### **12 Revocation of fireworks licence**

- (1) The Scottish Ministers may revoke a person's fireworks licence if—
  - (a) the person breaches any condition of the licence, or
  - (b) the person is convicted of a relevant offence (whether or not the convicting court cancelled the fireworks licence under section 13).
- (2) A person whose fireworks licence is revoked under [this section](#) is prohibited from applying for a new fireworks licence—
  - (a) in a case where the licence was cancelled by a court under [section 13](#), within the period specified in [section 13\(3\)](#), or
  - (b) in any other case, within the period of 12 months beginning with day on which the licence was revoked.
- (3) A fireworks licence is revoked by the Scottish Ministers giving notice of the revocation to the person who has the fireworks licence.
- (4) A notice under subsection (3) must—
  - (a) be given no later than 7 days before it is to take effect, and
  - (b) require the person to surrender—
    - (i) the person's fireworks licence, and
    - (ii) any firework to which [this Part](#) applies in the person's possession, in the manner and by the date specified in the notice.

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*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 12. (See end of Document for details)*

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- (5) It is an offence for a person, without reasonable excuse, to fail to comply with the requirements of a notice given under subsection (3).
- (6) A person who commits an offence under subsection (5) is liable, on summary conviction, to a fine not exceeding level 5 on the standard scale.
- (7) If the Scottish Ministers decide to revoke a fireworks licence, they must inform the person of the right under section 14 to appeal the decision at the same time as notifying the person of that decision.
- (8) If a person appeals under section 14 against a decision to revoke the person’s fireworks licence—
  - (a) the revocation does not take effect, but
  - (b) the person must still comply with the requirements of the notice given under subsection (3),pending the determination or withdrawal of the appeal.
- (9) In [this section](#), “relevant offence” has the meaning given in section 7(4).

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#### **Commencement Information**

- II** S. 12 not in force at Royal Assent, see [s. 56\(2\)](#)

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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 12.