



# 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.

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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 14. (See end of Document for details)*

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(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.

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**Commencement Information**

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

**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.