
Status: Point in time view as at 15/05/2017.

Changes to legislation: There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, PART 1. (See end of Document for details)

SCHEDULE 2 MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

PART 1

AMENDMENTS AND REPEALS RELATING TO PART 1

Firearms Act 1968

- 1 (1) The Firearms Act 1968 is amended as follows.
- (2) In section 3(1) (offences relating to manufacturing, selling or transferring firearms when not a firearms dealer)—
 - (a) immediately following paragraph (a), insert “ or ”,
 - (b) the word “or” immediately following paragraph (b) is repealed,
 - (c) paragraph (c) is repealed.
- (3) In section 21A (firing an air weapon beyond premises), after subsection (1) insert—

“(1A) A person commits an offence if the person—

 - (a) is supervising the use and possession of an air weapon on private premises by a person under the age of 18, and
 - (b) allows the supervised person to fire any missile beyond those premises.”.
 - (4) Section 22(4) (offence for person under 18 to possess an air weapon or ammunition for an air weapon) is repealed.
 - (5) Section 23 (exceptions from section 22(4) of that Act) is repealed.
 - (6) In section 24(4) (supplying firearms to minors), in paragraph (b), for the words from “by” to the end substitute “ the person holds an air weapon certificate granted under section 5 of the Air Weapons and Licensing (Scotland) Act 2015 or the possession is otherwise in accordance with Part 1 of that Act. ”.
 - (7) In section 24ZA (failing to prevent minors from having air weapons), for subsection (2) substitute—

“(2) Subsection (1) does not apply where—

 - (a) the person under the age of 18 holds an air weapon certificate granted under section 5 of the Air Weapons and Licensing (Scotland) Act 2015, or
 - (b) the use or possession of the weapon by the person under the age of 18 is otherwise in accordance with Part 1 of that Act.”.
 - (8) In section 57 (interpretation)—
 - (a) in subsection (3), for “22(4), 22(5), 23(1)” substitute “ 21A(1A) ”,
 - (b) in subsection (4), in the definition of “firearms dealer”, in paragraph (b), for “sells or transfers” substitute “ manufactures, sells, transfers, repairs or tests ”.
 - (9) In Schedule 4 (particulars to be entered by firearms dealer in register of transactions)
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- (a) in Part 1, in the note, after “2” insert “ or 3 ”,
- (b) in Part 2, for the note substitute— “ *Notes: This Part does not apply in relation to Scotland. In this Part “air weapon” includes any component of, or accessory to, an air weapon.* ”,
- (c) the heading of Part 2 becomes— “ PARTICULARS RELATING TO AIR WEAPONS: ENGLAND AND WALES ”,
- (d) after that Part insert—

“PART 3

PARTICULARS RELATING TO AIR WEAPONS: SCOTLAND

Notes: This Part applies in relation to Scotland. In this Part “air weapon” includes any component of, or accessory to, an air weapon.

- 1 The quantities and description of air weapons manufactured and the dates of manufacture.
 - 2 The quantities and description of air weapons purchased or acquired with the names and addresses of the sellers or transferors and the date of each transaction.
 - 3 The quantities and description of air weapons accepted for sale, repair, testing, cleaning, storage, destruction, or any other purposes, with the names and addresses of the transferors and the date of each transaction.
 - 4 The quantities and description of air weapons sold or transferred with the names and addresses of the purchasers or transferees and the date of each transaction.
 - 5 The quantities and description of air weapons in possession for sale or transfer at the date of the last stocktaking or such other date in each year as may be specified in the register.”.
- (10) In Schedule 6 (prosecution and punishment of offences)—
- (a) in the table in Part 1 (punishments)—
 - (i) in the entry for section 21A (person making improper use of air weapon), in the first column, for “21A” substitute “ 21A(1) and (1A) ”,
 - (ii) the entry for section 22(4) is repealed,
 - (iii) the entry for section 23(1) is repealed,
 - (b) in Part 2 (supplementary provisions as to trial and punishment of offences)—
 - (i) in paragraph 7, for “21A, 22(3) or (4), 23(1)” substitute “ 21A(1), 21A(1A), 22(3) ”,
 - (ii) in paragraph 8, for “21A, 22(3) or (4), 23(1),” substitute “ 21A(1), 21A(1A), 22(3), ”.

Commencement Information

II Sch. 2 para. 1 in force at 31.12.2016 by S.S.I. 2016/130, art. 3(c)

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Criminal Procedure (Scotland) Act 1995

- 2 In Schedule 9 to the Criminal Procedure (Scotland) Act 1995 (certificates as to proof of certain routine matters), at the end of the table insert—

“The Air Weapons and Licensing (Scotland) Act 2015	A constable or a person employed by the Scottish Police Authority, if the constable or person is authorised to do so by the chief constable of the Police Service of Scotland.	In relation to a person identified in the certificate, that on the date specified in the certificate the person held, or as the case may be, did not hold, an air weapon certificate (within the meaning of Part 1 of that Act).”.
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Commencement Information

I2 Sch. 2 para. 2 in force at 31.12.2016 by S.S.I. 2016/130, art. 3(c)

Violent Crime Reduction Act 2006

- 3 Section 32 of the Violent Crime Reduction Act 2006 (sales of air weapons by way of trade or business to be face to face) is repealed.

Commencement Information

I3 Sch. 2 para. 3 in force at 31.12.2016 by S.S.I. 2016/130, art. 3(c)

Status:

Point in time view as at 15/05/2017.

Changes to legislation:

There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, PART 1.