



Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 3 **S**

CIVIC LICENSING

Miscellaneous and general

79 Procedure for hearings **S**

- (1) The 1982 Act is amended as follows.
- (2) In Schedule 1 (licensing: further provisions as to the general system), after paragraph 18 insert—

“Power to make provision about hearings

- 18A (1) The Scottish Ministers may by regulations make provision as to the procedure to be followed at, or in connection with, any hearing to be held by a licensing authority under this Schedule.
- (2) Regulations under this paragraph may, in particular, make provision—
- (a) for notice of the hearing to be given to such persons as may be prescribed in the regulations,
 - (b) about the rules of evidence which are to apply for the purposes of the hearing,
 - (c) about the representation of any party at the hearing,
 - (d) as to the times by which any step in the procedure must be taken, and
 - (e) as to liability for expenses.
- (3) Regulations under this paragraph may make different provision for different purposes including, in particular, different types of licence.
- (4) Regulations under this paragraph are subject to the negative procedure.”

Changes to legislation: There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 79. (See end of Document for details)

- (3) In Schedule 2 (control of sex shops and sexual entertainment venues), after paragraph 24 insert—

“Power to make provision about hearings

- 24A (1) The Scottish Ministers may by regulations make provision as to the procedure to be followed at, or in connection with, any hearing to be held by a local authority under this Schedule.
- (2) Regulations under this paragraph may, in particular, make provision—
- (a) for notice of the hearing to be given to such persons as may be prescribed in the regulations,
 - (b) about the rules of evidence which are to apply for the purposes of the hearing,
 - (c) about the representation of any party at the hearing,
 - (d) as to the times by which any step in the procedure must be taken, and
 - (e) as to liability for expenses.
- (3) Regulations under this paragraph may make different provision for different purposes, including, in particular, different types of licence.
- (4) Regulations under this paragraph are subject to the negative procedure.”.

Commencement Information

II S. 79 in force at 1.12.2015 by [S.S.I. 2015/382](#), art. 2, [Sch.](#)

Changes to legislation:

There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 79.