



Fireworks and Pyrotechnic Articles (Scotland) Act 2022

2022 asp 9

PART 2

FIREWORKS LICENSING

Process for licensing

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

Status: This is the original version (as it was originally enacted).

- (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.