
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision for the purposes of Part 1 of the Air Weapons and Licensing (Scotland) Act 2015 (“the Act”), which relates to the licensing and regulation of air weapons.

Part 2 (including schedules 1 and 2) prescribes the form in which the various applications under Part 1 of the Act must be made, as well as the form in which any corresponding certificate, permit or approval must be granted or renewed. It also prescribes mandatory conditions that apply to every air weapon certificate, police permit, visitor permit and approval of an air weapon club granted (or renewed) under that Part of the Act. It further provides for the replacement of any certificate, permit, or approval which is damaged, destroyed, lost or stolen.

Part 3 (including schedule 3) specifies the various fees that are to be charged by the chief constable in respect of applications made under Part 1 of the Act, and in respect of the performance of certain functions by the chief constable under that Part of the Act. It also specifies circumstances in which no fee is payable.

Part 4 (including schedule 4) makes transitional provision to allow the chief constable to grant an air weapon certificate for a shorter period than the standard 5 years provided for in section 8(1)(b) of the Act, subject to a minimum period of 12 months. It applies only in relation to advance applications. These are applications for the grant of an air weapon certificate made before 31st December 2016, when Part 1 of the Act comes fully into force, other than those made by individuals under the age of 18 or by individuals seeking to have their air weapon certificates (if granted) expire on the same day as their firearm or shot gun certificates. Schedule 4 also specifies a reduced fee to be charged in respect of an advance application, based on the period for which an air weapon certificate would be granted if the application were successful. It further provides for a partial refund, in certain circumstances, if the chief constable decides not to grant an air weapon certificate to an applicant.