

AIR WEAPONS AND LICENSING (SCOTLAND) ACT 2015

EXPLANATORY NOTES

STRUCTURE AND SUMMARY OF THE ACT

Part 3 – Civic Licensing

Miscellaneous and general

Section 83 – Electronic communications under the 1982 Act

255. This section amends Schedule 1 to the 1982 Act to permit a licensing authority to determine to receive electronic communications for a variety of matters. The matters are:
- (a) applications for the grant or renewal of a licence under paragraph 1,
 - (b) objections or representations under paragraph 3,
 - (c) notifications of a change to a licence under paragraph 9.
256. Where a licensing authority makes a determination to receive electronic communications they must specify the form of electronic communication, the address to be used and any means of authentication that may be used in addition to an electronic signature.
257. The section clarifies that an electronic communication meeting the requirements set out will meet any requirement under Schedule 1 for a communication to be in writing and signed.
258. A licensing authority may also determine to make communications in respect of the giving of notices or the giving of reasons electronically. The giving of reasons or notices electronically would only be acceptable if the intended recipient has agreed to receive communications in such a form and has specified an address. If the requirements are satisfied then any requirement for a notice or reasons to be given in writing will be met.
259. Determinations in relation to electronic communications may be made for different purposes and for different licences.
260. Similar amendments regarding electronic communications are made to Schedule 2 in respect of sex shops and sexual entertainment venues.