



Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 1

AIR WEAPONS

Enforcement

26 Power of search with warrant

- (1) A sheriff may, on the application of a constable or a member of police staff, grant a warrant to the applicant under this section if satisfied, by evidence on oath, that there is a reasonable ground for suspecting—
 - (a) that an air weapon offence has been, is being, or is about to be committed, or
 - (b) that, in connection with an air weapon, there is a danger to the public safety or to the peace.
- (2) A warrant under this section may authorise a constable or a member of police staff—
 - (a) to enter at any time any place named in the warrant, if necessary by force, and to search the place and every person found there,
 - (b) to seize and detain anything that the constable or member of police staff may find at the place, or on any such person, in respect of which or in connection with which the constable or member of police staff has a reasonable ground for suspecting—
 - (i) that an air weapon offence has been, is being or is about to be committed, or
 - (ii) that in connection with an air weapon there is a danger to the public safety or to the peace.
- (3) The power of a constable or a member of police staff under subsection (2)(b) to seize and detain anything found at any place, or on any person found there, includes power to require any information which is stored in any electronic form and is accessible from the place or by the person to be produced in a form—
 - (a) which is visible and legible and can be taken away, or

Changes to legislation: There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 26. (See end of Document for details)

- (b) from which it can be readily produced in a visible and legible form and can be taken away.
- (4) It is an offence for an individual to obstruct intentionally a constable or member of police staff in the exercise of the constable's or member of police staff's powers under a warrant granted under this section.
- (5) An individual who commits an offence under subsection (4) is liable, on summary conviction, to imprisonment for a term not exceeding 12 months or a fine not exceeding level 5 on the standard scale (or both).

Commencement Information

II S. 26 in force at 31.12.2016 by S.S.I. 2016/130, art. 3(a) (with art. 4)

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