



Air Weapons and Licensing (Scotland) Act 2015

2015 asp 10

PART 1

AIR WEAPONS

Enforcement

28 Cancellation of air weapon certificate

- (1) Subsection (2) applies where an individual (“A”) holding an air weapon certificate—
- (a) is convicted of—
 - (i) an air weapon offence,
 - (ii) an offence under the 1968 Act, or
 - (iii) an offence for which A is sentenced to imprisonment or to detention in a young offenders' institution,
 - (b) has been ordered to keep the peace or to be of good behaviour and, as a condition of that, is not to possess, carry or use an air weapon or other firearm,
 - (c) is subject to a community payback order under section 227A of the Criminal Procedure (Scotland) Act 1995 which contains a requirement not to possess, carry or use an air weapon or other firearm, or
 - (d) has been ordained to find caution and as a condition of that, is not to possess, carry or use an air weapon or other firearm.
- (2) Where this subsection applies, the court by or before which A is convicted, or which imposes the condition or requirement, may cancel the air weapon certificate held by A.
- (3) Where the court cancels an air weapon certificate under this section—
- (a) the court must notify the chief constable of the cancellation, and
 - (b) the chief constable must, by notice given to A, require A to surrender A's air weapon certificate within the period of 21 days beginning with the date the notice is given.

Changes to legislation: There are currently no known outstanding effects for the Air Weapons and Licensing (Scotland) Act 2015, Section 28. (See end of Document for details)

- (4) It is an offence for an individual, without reasonable excuse, to fail to comply with the requirements of a notice under subsection (3)(b).
- (5) An individual who commits an offence under subsection (4) is liable, on summary conviction, to a fine not exceeding level 3 on the standard scale.

Commencement Information

II S. 28 in force at 1.7.2016 by S.S.I. 2016/130, art. 2, **sch.** (with arts. 5, 6)

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