Air Weapons and Licensing (Scotland) Bill

1st Groupings of Amendments for Stage 2

This document provides procedural information which will assist in preparing for and following proceedings on the above Bill. The information provided is as follows:

- the list of groupings (that is, the order in which amendments will be debated). Any procedural points relevant to each group are noted;
- the text of amendments to be debated on the first day of Stage 2 consideration, set out in the order in which they will be debated. **THIS LIST DOES NOT REPLACE THE MARSHALLED LIST, WHICH SETS OUT THE AMENDMENTS IN THE ORDER IN WHICH THEY WILL BE DISPOSED OF.**

Groupings of amendments

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**Requirements for grant or renewal or air weapon certificate**
4, 10, 11, 12, 13, 14, 20

*Notes on amendments in this group*
Amendment 12 pre-empts amendments 13 and 14

**Export of air weapons**
7, 31, 32, 33

**Exemptions**
8, 9

**Special requirements and conditions for young persons**
15, 16, 17, 18, 19, 26, 27

**Duration of air weapon certificate**
21, 22

**Revocation of air weapon certificate**
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**Restrictions on transactions involving air weapons: repair or testing**
28, 29, 30

**Report of loss of air weapon to police**
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43, 49, 57, 75, 77, 78

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Definitions and interpretation

Cameron Buchanan
1 In section 1, page 1, line 9, leave out subsection (2)

Michael Matheson
2 In section 1, page 1, line 16, at end insert—
   
   <(za) an air weapon which is not a firearm (within the meaning of section 57(1) of the 1968 Act),>

Michael Matheson
3 In section 1, page 1, line 21, after <paragraph> insert <(za) or>

Cameron Buchanan
5 In schedule 1, page 55, line 10, at end insert—
   
   <( ) in airsoft at the club, another approved air weapon club, an event or competition, or>

Cameron Buchanan
6 In schedule 1, page 55, line 11, after <shooting> insert <or airsoft>

Requirements for grant or renewal or air weapon certificate

Cameron Buchanan
4 In section 2, page 2, line 4, at end insert—
   
   <( ) Subsection (1) does not apply to a person who holds a firearm or shotgun certificate.>

Cameron Buchanan
10 In section 5, page 3, leave out line 9

Cameron Buchanan
11 In section 5, page 3, line 12, leave out from beginning to <weapon,>

Cameron Buchanan
12 In section 5, page 3, line 16, leave out subsection (2)
Cameron Buchanan
13 In section 5, page 3, line 16, leave out <may> and insert <must>

Cameron Buchanan
14 In section 5, page 3, line 17, leave out <paragraphs (a) and (b) of>

Cameron Buchanan
20 In section 7, page 4, line 19, leave out subsection (6)

Export of air weapons

Michael Matheson
7 In schedule 1, page 59, line 9, after <Britain> insert <, or to a registered firearms dealer in England or Wales,>

Cameron Buchanan
31 In section 24, page 13, line 15, leave out <Great Britain> and insert <Scotland>

Michael Matheson
32 In section 24, page 13, line 15, after <Britain> insert <, or to a registered firearms dealer in England or Wales,>

Michael Matheson
33 Leave out section 26

Exemptions

Michael Matheson
8 In schedule 1, page 59, line 13, leave out <loan> and insert <lend or to let on hire>

Michael Matheson
9 In schedule 1, page 60, line 8, leave out <Lord Treasurer and Remembrancer> and insert <and Lord Treasurer’s Remembrancer (or a person authorised to act on the Remembrancer’s behalf).>

Special requirements and conditions for young persons

Michael Matheson
15 In section 7, page 4, line 5, at end insert <and>

Michael Matheson
16 In section 7, page 4, line 7, leave out <or otherwise own> and insert <, hire, accept a gift of or own,>
Michael Matheson
17 In section 7, page 4, line 8, at end insert—

<za) the holder may use and possess an air weapon only for sporting purposes (including shooting live quarry) on private land.>

Cameron Buchanan
18 In section 7, page 4, line 12, after <competitions> insert <and any connected activities>

Cameron Buchanan
19 In section 7, page 4, line 17, leave out from <while> to end of line 18 and insert <for the purposes of pest control.>

Michael Matheson
26 In section 14, page 8, line 19, leave out from <either> to <and> and insert <one or more of the conditions described in paragraphs (za) to>

Michael Matheson
27 In section 14, page 8, line 23, leave out subsection (6)

Duration of air weapon certificate

Cameron Buchanan
21 In section 8, page 4, line 25, leave out from beginning to <case,> in line 27

Cameron Buchanan
22 In section 8, page 4, line 33, leave out <(1)(b)> and insert <(1)>

Revocation of air weapon certificate

Michael Matheson
23 In section 11, page 5, line 33, leave out <cannot> and insert <can no longer>

Michael Matheson
24 In section 11, page 5, line 39, leave out <not> and insert <no longer>

Michael Matheson
25 In section 11, page 6, line 1, leave out <does not have> and insert <no longer has>
Restrictions on transactions involving air weapons: repair or testing

Cameron Buchanan

28 In section 24, page 13, line 5, leave out <sell, transfer, repair or test> and insert <sell or transfer>

Cameron Buchanan

29 In section 24, page 13, line 7, leave out <sale, transfer, repair or testing> and insert <sale or transfer>

Cameron Buchanan

30 In section 24, page 13, line 7, at end insert—

<( ) It is an offence for a person other than a registered firearms dealer or instructor at an approved air weapon club, by way of trade or business, to—

(a) repair or test an air weapon, or

(b) possess an air weapon for the purposes of its repair or testing.>

Report of loss of air weapon to police

Michael Matheson

34 In section 31, page 17, line 19, leave out <immediately> and insert <as soon as reasonably practicable>

Crown application

Michael Matheson

35 After section 37, insert—

<Crown application

(1) No contravention of any provision made by or under this Part makes the Crown criminally liable.

(2) But the Court of Session may, on the application of the Scottish Ministers, the chief constable or any other public body or office-holder having responsibility for enforcing the provision, declare unlawful any act or omission of the Crown which constitutes such a contravention.

(3) Despite subsection (1), any provision made by or under this Part applies to a person in the public service of the Crown as it applies to other persons.>

Alcohol licensing: fit and proper person test

Michael Matheson

38 In section 43, page 24, line 2, at end insert—
The 2005 Act is amended as follows.

In section 22 (objections and representations)—

(a) after subsection (1) insert—

“(1A) A person giving a notice under subsection (1) may include in the notice any information that the person considers may be relevant to consideration by the Board of any ground for refusal including, in particular, information in relation to—

(a) the applicant,

(b) where the applicant is neither an individual nor a council, a connected person in relation to the applicant, or

(c) any person who would be an interested party in relation to the subject premises if the application were to be granted.”,

(b) in subsection (3)(b), after “representation” insert “(including any information included under subsection (1A))”.

Michael Matheson

39 In section 43, page 24, line 3, leave out subsection (1) and insert—

<(  ) In section 23 (determination of premises licence application)---->

Michael Matheson

40 In section 43, page 24, line 10, at end insert—

<(  ) in subsection (6), for the words “the granting of the application would be inconsistent with one or more of the licensing objectives,” substitute “either of the grounds of refusal specified in subsection (5)(ba) and (c) applies,”,>

Michael Matheson

41 In section 44, page 24, line 18, leave out <or>

Michael Matheson

42 In section 44, page 24, line 20, at end insert <, or

(  ) any person who would be an interested party in relation to the licensed premises if the application for the transfer of the licence to the transferee were to be granted,>

Michael Matheson

44 In section 45, page 25, line 10, at end insert—

<(  ) after subsection (5) insert—

“(5A) A person making a premises licence review application may include in the application any information that the applicant considers may be relevant to consideration by the Licensing Board of the alleged ground for review including, in particular, information in relation to—

(a) the licence holder,

(b) where the licence holder is neither an individual nor a council, a connected person in relation to the licence holder, or
(c) any person who is an interested party in relation to the licensed premises.”.

Michael Matheson

45 In section 45, page 25, line 11, after <initiative> insert —

( )

Michael Matheson

46 In section 45, page 25, line 15, at end insert—

( ) after subsection (4) insert—

“(5) A Licensing Board making a premises licence review proposal may include in the proposal any information that the Board considers may be relevant to their consideration of the alleged ground for review including, in particular, information in relation to—

(a) the licence holder,

(b) where the licence holder is neither an individual nor a council, a connected person in relation to the licence holder, or

(c) any person who is an interested party in relation to the licensed premises.”.

Michael Matheson

47 In section 45, page 25, line 22, at end insert—

<(2B) Subject to section 39B, a revocation under subsection (2A) takes effect at the end of the period of 28 days beginning with the day on which the Board makes the decision.”.

Michael Matheson

48 In section 45, page 25, line 26, at end insert—

<( ) After section 39A insert—

“39B Recall of revocation of licence under section 39(2A)

(1) This section applies where a Licensing Board decides to revoke a premises licence under section 39(2A).

(2) The Board must recall the revocation if—

(a) a relevant application is made before the end of the period referred to in section 39(2B) (“the 28 day period”), and

(b) the Board grants the application.

(3) The Board may extend the 28 day period pending determination of a relevant application.

(4) In this section, “relevant application” means—

(a) an application under section 33(1) for the transfer of the premises licence, or
(b) a premises licence variation application seeking a variation of the licence that the Board considers would remove the ground on which the licence was revoked under section 39(2A).

(5) This section does not affect the right to appeal against the decision to revoke the licence under section 39(2A).”.

Transfer of premises licence

Michael Matheson

43 In section 44, page 24, line 37, leave out subsection (3)

Michael Matheson

49 After section 48, insert—

<Transfer of premises licences

Transfer of premises licences

(1) The 2005 Act is amended as follows.

(2) In section 33 (transfer of premises licence on application of licence holder)—

(a) for subsections (1) to (3) substitute—

“(1) Any person, other than an individual under the age of 18, may apply to the appropriate Licensing Board for the transfer of a premises licence to the person (such person being referred to in this section and section 33A as the “transferee”).

(1A) An application under subsection (1) must—

(a) specify the date on which the transfer is to take effect, and

(b) be accompanied by—

(i) the premises licence to which the application relates or, if that is not practicable, a statement of the reasons for failure to produce the licence, and

(ii) a written statement signed by the holder of the premises licence consenting to its transfer to the transferee (a “consent statement”) or, if that is not practicable, a statement of the reasons for failure to obtain the licence holder’s written consent.”.

(b) in subsection (4), after “constable” insert “, unless the Board must refuse the application under subsection (8A)”,

(c) in subsection (8), before paragraph (a) insert—

“(za) the application is accompanied by a consent statement referred to in subsection (1A)(b)(ii),”,

(d) after subsection (8) insert—

“(8A) If the application is not accompanied by a consent statement referred to in subsection (1A)(b)(ii), the Board must refuse the application, unless the Board dispenses with the requirement for a consent statement under section 33A(4).”).
The title of section 33 becomes “Application for transfer of premises licence”.

After section 33 insert—

“33A Application for transfer: further provision

(1) This section applies where a Licensing Board receives an application under section 33(1) for the transfer of a premises licence.

(2) The Board must take all reasonable steps to give notice of the application to the premises licence holder.

(3) Subsection (4) applies where the application is not accompanied by a consent statement referred to in section 33(1A)(b)(ii).

(4) The Board may dispense with the requirement for a consent statement if satisfied that the transferee has taken all reasonable steps to contact the premises licence holder in order to obtain consent but has received no response.

(5) Where the Board decides under subsection (4) not to dispense with the requirement for a consent statement, the Board must give notice of the decision, and of the reasons for it, to the transferee.

(6) Where the Board decides under subsection (4) to dispense with the requirement for a consent statement the Board must hold a hearing under section 33(9) for the purpose of considering and determining the application.

(7) Where the Board grants the application, the transfer of the licence takes effect—

(a) on the date specified in the application in accordance with section 33(1A)(a), or

(b) where the Board grants the application after that date, on such date as the Board may determine.”.

Section 34 (transfer on application of person other than licence holder) is repealed.

In Part 1 of schedule 5 (appeals to the sheriff principal)—

(a) in column 1 of the entry relating to a decision to refuse an application under section 33(1) or 34(1) for transfer of a premises licence, the words “or 34(1)” are repealed,

(b) in column 2 of that entry, after “applicant” insert “or the premises licence holder”,

(c) after that entry insert—

| “A decision to grant an application under section 33(1) for transfer of a premises licence | The person from whom the premises licence is to be transferred |
| A decision under section 33A(4), in relation to an application under section 33(1) for transfer of a premises licence, not to dispense with the requirement for a consent statement | The applicant” |
Michael Matheson

57 In section 58, page 33, line 15, leave out <or 34(1)>

Michael Matheson

75 In schedule 2, page 62, line 7, at end insert—

<( ) In section 28(2) (period of effect of premises licence), for “34(1)” substitute “33(1)”.

Michael Matheson

77 In schedule 2, page 62, line 7, at end insert—

<( ) In section 35 (variation on transfer), in each of subsections (1) and (3)(b), the words “or 34(1)” are repealed.

Michael Matheson

78 In schedule 2, page 62, line 12, at end insert—

<( ) In section 49(1)(c) (Licensing Board’s duty to update premises licence), the words “or 34(1)” are repealed.

Overprovision

Michael Matheson

50 In section 54, page 30, leave out lines 8 to 10 and insert—

<( ) at the beginning of paragraph (a) insert “must”,

( ) the word “and” immediately following that paragraph is repealed,

( ) after that paragraph insert—

“(aa) may have regard to such other matters as the Board thinks fit including, in particular, the licensed hours of licensed premises in the locality, and”;

Michael Matheson

51 In section 54, page 30, line 12, leave out from <“and” to end of line 13 and insert <the words from “that,” where first occurring to “situated,” substitute “that”.

Michael Matheson

52 In section 54, page 30, line 15, leave out from <“and” to the end of the line and insert <the words from “that,” where first occurring to “situated,” substitute “that”.

Functions and powers of Licensing Standards Officers

Michael Matheson

53 After section 55, insert—
<Licensing Standards Officers: general function in relation to personal licences>

In section 14(1) of the 2005 Act (general functions of Licensing Standards Officers), after paragraph (b) insert—

“(ba) providing information to Licensing Boards about any conduct of holders of, or persons applying for, personal licences in the area, which is inconsistent with the licensing objectives,”.>

Michael Matheson

54 After section 55, insert—

<Powers of Licensing Standards Officers>

(1) The 2005 Act is amended as follows.

(2) After section 84A insert—

“84B Power of Licensing Standards Officers to report conduct inconsistent with the licensing objectives

(1) If a Licensing Standards Officer considers that any personal licence holder who is or was working in licensed premises in the Officer’s area has acted in a manner which is inconsistent with any of the licensing objectives, the Officer may report the matter to the relevant Licensing Board.

(2) Where a Licensing Board receives a report from a Licensing Standards Officer under subsection (1), the Board may hold a hearing.

(3) Subsections (6), (6A), (7), (7A) and (8) of section 84 and subsection (1)(b) of section 85 apply in relation to a hearing under subsection (2) of this section as they apply in relation to a hearing under subsection (3)(a) or (5) of section 84.

(4) In subsection (1), “relevant Licensing Board” has the meaning given in section 83(11).”.

Personal licences

Michael Matheson

55 In section 57, page 32, line 15 after <licence)> insert <—

(a)>

Michael Matheson

56 In section 57, page 32, line 17, at end insert—

<(b) in subsection (5), after “74” insert “(other than subsection (3)(ba))”.

Michael Matheson

80 In section 78, page 54, line 19, at beginning insert <Section 57(1) and (2) and>

Michael Matheson

81 In section 78, page 54, line 19, leave out <comes> and insert <come>
Metal dealers: increase in penalties

Michael Matheson

58 Before section 63, insert—

<Penalties for failure to have appropriate licence or comply with conditions

In section 7 of the 1982 Act (offences etc.)—

(a) in subsection (1)(a), after “is” insert “a metal dealer’s licence, an itinerant metal dealer’s licence or”;

(b) in subsection (2)—

(i) the word “and” immediately following paragraph (aa) is repealed,

(ii) after paragraph (aa) insert—

“(ab) in a case where the licence is a metal dealer’s licence or an itinerant metal dealer’s licence, to such fine or imprisonment as is mentioned in subsection (1)(a) (or to both), and”.

Metal dealers: forms of payment

Michael Matheson

59 In section 65, page 36, line 21, leave out <an> and insert <a bank or building society>

Michael Matheson

60 In section 65, page 37, line 6, after <section> insert <33AA or>

Michael Matheson

61 In section 65, page 37, line 10, at end insert—

<33AA Acceptable forms of payment: meaning of “bank or building society account”

(1) In section 33A(2)(b), “bank or building society account” means an account held with a bank or a building society.

(2) For the purposes of subsections (1) and (4)—

(a) “bank” means an authorised deposit-taker that has its head office or a branch in the United Kingdom, and

(b) “building society” has the same meaning as in the Building Societies Act 1986.

(3) In subsection (2)(a), “authorised deposit-taker” means—

(a) a person who has permission to accept deposits under Part 4A of the Financial Services and Markets Act 2000 (but see subsection (4) for exclusions),

(b) an EEA firm of the kind mention in paragraph 5(b) of Schedule 3 to that Act that has permission under paragraph 15 of that Schedule (as a result of qualifying for authorisation under paragraph 12(1) of that Schedule).
The reference in subsection (3)(a) to a person who has permission to accept deposits under Part 4A of the Financial Services and Markets Act 2000 does not include—

(a) a building society,

(b) a society registered as a credit union under the Co-operative and Community Benefit Societies Act 2014 or the Credit Unions (Northern Ireland) Order 1985 (S.I. 1985/1205 (N.I. 12)),

(c) a friendly society within the meaning given by section 116 of the Friendly Societies Act 1992, or

(d) an insurance company within the meaning of section 275 of the Finance Act 2004.”.>

Metal dealers: records

Michael Matheson

62 In section 66, page 38, leave out line 5

Michael Matheson

63 In section 66, page 38, line 25, after regulations insert—

( ) specify the means by which a person’s name and address may be verified for the purposes of this section,

( )>

Register of metal dealers

Michael Matheson

64 After section 66, insert—

Register of dealers in metal

After section 35 of the 1982 Act, insert—

“35A Register of metal dealers and itinerant metal dealers

(1) The Scottish Ministers may by regulations make provision for and about the establishment, keeping and maintaining of a register of metal dealers and itinerant metal dealers.

(2) Regulations under subsection (1) may, in particular, make provision—

(a) about who is to keep and maintain the register,

(b) requiring the provision of information to the person who keeps the register,

(c) specifying the information to be included in the register in relation to each person who holds a licence as a metal dealer or itinerant metal dealer,
(d) about the form and publication of the register,
(e) for the charging of fees in such circumstances as may be specified in the regulations.

(3) Regulations under subsection (1) may—
   (a) make incidental, supplementary, consequential, transitional, transitory or saving provision,
   (b) modify this or any other enactment.

(4) Regulations under subsection (1) which contain provision which adds to, replaces, or omits any part of an Act are subject to the affirmative procedure.

(5) Otherwise, regulations under subsection (1) are subject to the negative procedure.”.

Metal dealers: definitions

Michael Matheson

65 After section 66, insert—

Interpretation of provisions relating to metal dealers etc.

(1) Section 37 of the 1982 Act (interpretation of sections 28 to 36) is amended as follows.

(2) In subsection (1), for the definition of “itinerant metal dealer” substitute—

““itinerant metal dealer” means a person who—
   (a) carries on a business which consists wholly or substantially of buying or selling for scrap—
      (i) metal articles that are old, broken, worn out or defaced, or
      (ii) partly manufactured articles that are made wholly or partly from metal,
   (b) collects articles of the kind described in paragraph (a)(i) and (ii) by means of visits from place to place, and
   (c) disposes of such articles without causing them to be kept in a metal store or other premises (including by disposing or giving custody of the articles to a person who keeps a metal store).”.

(3) For subsection (2) substitute—

“(2) For the purposes of sections 28 to 36, a person carries on business as a metal dealer if the person—
   (a) carries on a business which consists wholly or substantially of buying or selling for scrap—
      (i) metal articles that are old, broken, worn out or defaced, or
      (ii) partly manufactured articles that are made wholly or partly from metal, or
   (b) carries on business as a motor salvage operator (so far as that does not fall within paragraph (a)).
(3) For the purposes of subsection (2)(b), a person carries on business as a motor salvage operator if the person carries on a business which consists wholly or substantially of—

(a) recovering salvageable parts from motor vehicles for re-use or sale and selling or disposing of the rest of the vehicle for scrap,

(b) buying significantly damaged motor vehicles and subsequently repairing and reselling them, or

(c) buying or selling motor vehicles which are to be the subject (whether immediately or upon a subsequent resale) of any of the activities mentioned in paragraphs (a) and (b).”.

Metal dealers: exemptions

Michael Matheson

66 After section 66, insert—

<Exemptions from requirements of sections 28 to 37 of 1982 Act

After section 37 of the 1982 Act insert—

“37A Exemptions

(1) The Scottish Ministers may by regulations make provision specifying circumstances in which the provisions of sections 28 to 37 are not to apply.

(2) Regulations under subsection (1)—

(a) may make transitional, transitory or saving provision,

(b) are subject to the negative procedure.”.

Restriction of exemption from requirement for public entertainment licences

Michael Matheson

67 After section 67, insert—

<Restriction of exemption from requirement for public entertainment licence

In section 41(2) of the 1982 Act (places not requiring public entertainment licences), in paragraph (f), for the words from “licensed” where first occurring to “(asp 16)” substitute “premises in respect of which a premises licence within the meaning of section 17 of the Licensing (Scotland) Act 2005 has effect”.

Public entertainment licences: exemption for funfairs

Richard Lyle

68 After section 67, insert—
<Public entertainment licenses: exemption for funfairs>
In section 41 of the 1982 Act (public entertainment licenses), after subsection (2)(aa) insert—
“(ab) premises used for the purpose of a funfair;”.

Revocation of licences under the 1982 Act

Michael Matheson
69 In section 69, page 44, line 39, after <suspension> insert <and revocation>

Michael Matheson
70 After section 69, insert—

<Revocation of Part 2 licences>
(1) The 1982 Act is amended as follows.
(2) In section 5 (rights of entry and inspection), in subsection (2)(a)(ii), after “suspended” insert “or revoked”.
(3) In Schedule 1 (licensing: further provisions as to the general system)—
(a) the italic heading preceding paragraph 10 becomes “Variation, suspension and revocation of licences”,
(b) in paragraph 11—
(i) in sub-paragraph (1), after “suspend” insert “or revoke”,
(ii) in sub-paragraph (2), after “suspension” insert “or revocation”,
(iii) in sub-paragraph (4), after “suspend” insert “or revoke”,
(iv) in sub-paragraph (6), after “order” insert “to suspend a licence”,
(v) in sub-paragraph (7), after “suspend” insert “or revoke”,
(vi) in sub-paragraph (8), after “suspension” insert “or revocation”,
(vii) in sub-paragraph (9)—
(A) after “suspension” where first occurring insert “or revocation”,
(B) after each subsequent occurrence of “suspension” insert “or, as the case may be, revocation”,
(viii) in sub-paragraph (10), after “suspension” where first occurring insert “or revocation”,
(c) in paragraph 12(5)(b), after “suspend” insert “or revoke”,
(d) in paragraph 13—
(i) in sub-paragraph (2)(a), after “suspend” insert “, revoke”,
(ii) in sub-paragraph (3), after “suspending” insert “or revoking”,
(ii) in sub-paragraph (4), after “suspension” where first occurring insert “or revocation”,
(e) in paragraph 14(2)(b), after “terms,” insert “revocation”,

THIS IS NOT THE MARSHALLED LIST
(f) in paragraph 17, in sub-paragraph (1)(d), before paragraph (i) insert—
“(ai) to revoke a licence or to refuse to do so,”.

(g) in paragraph 18(10)—
(i) after “suspension” where first occurring insert “or revocation”,
(ii) the words “above that the suspension be immediate” are repealed.>

**Minor and technical amendments**

Michael Matheson

71 In section 71, page 48, line 10, at beginning insert <in paragraph (a),>

Michael Matheson

76 In schedule 2, page 62, line 7, at end insert—

< ( ) In section 29(4) (application to vary premises licence), for “and 22” substitute “, 22 and 24A”>

Michael Matheson

79 In schedule 2, page 62, line 12, at end insert—

< ( ) In section 57 (notification of occasional licence application to chief constable and Licensing Standards officer), in subsection (5)—

(a) for “Subsections (2) and (3) have” substitute “Subsection (3) has”,
(b) for “references” where first occurring substitute “reference”,
(c) for “references” where second occurring substitute “a reference”.

**Sex shops and sexual entertainment venues: displays or advertising**

Michael Matheson

72 After section 71, insert—

<Conditions for Part 3 licences: displays or advertising

In paragraph 9(2) of Schedule 2 to the 1982 Act (examples of conditions which may be imposed in relation to Part 3 licences), in paragraph (b), after “on or in” insert “or otherwise connected with”.

**Register of transactions**

Michael Matheson

73 In schedule 2, page 61, line 26, at end insert—

< ( ) In Schedule 4 (particulars to be entered by firearms dealer in register of transactions)—

(a) in Part 1, in the note, after “2” insert “or 3”,

(b) in Part 2, for the note substitute—

“Notes:

This Part does not apply in relation to Scotland.

In this Part “air weapon” includes any component of, or accessory to, an air weapon.”,

(c) the heading of Part 2 becomes—

“PARTICULARS RELATING TO AIR WEAPONS: ENGLAND AND WALES”,

(d) after that Part insert—

“PART 3

PARTICULARS RELATING TO AIR WEAPONS: SCOTLAND

Notes:

This Part applies in relation to Scotland.

In this Part “air weapon” includes any component of, or accessory to, an air weapon.

1 The quantities and description of air weapons manufactured and the dates of manufacture.
2 The quantities and description of air weapons purchased or acquired with the names and addresses of the sellers or transferors and the date of each transaction.
3 The quantities and description of air weapons accepted for sale, repair, testing, cleaning, storage, destruction, or any other purposes, with the names and addresses of the transferors and the date of each transaction.
4 The quantities and description of air weapons sold or transferred with the names and addresses of the purchasers or transferees and the date of each transaction.
5 The quantities and description of air weapons in possession for sale or transfer at the date of the last stocktaking or such other date in each year as may be specified in the register.”.

Certificates as to proof of routine matters

Michael Matheson

74 In schedule 2, page 61, line 37, at end insert—

< Criminal Procedure (Scotland) Act 1995

In Schedule 9 to the Criminal Procedure (Scotland) Act 1995 (certificates as to proof of certain routine matters), at the end of the table insert—

| “The Air Weapons and Licensing (Scotland) Act 2015 | A constable or a person employed by the Scottish Police Authority, if the constable or person is authorised to do so by | In relation to a person identified in the certificate, that on the date specified in the certificate the person held, or as the case may |
| the chief constable of the Police Service of Scotland. | be, did not hold, an air weapon certificate (within the meaning of Part 1 of that Act).”|