



Notification Number: 2015/130/UK

## Air Weapons and Licensing (Scotland) Bill

Date received : 18/03/2015

End of Standstill : 19/06/2015

### Message

Message 001

Communication from the Commission - TRIS/(2015) 00755

Directive 98/34/EC

Notificación - Oznámení - Notifikation - Notifizierung - Teavitamine - Γνωστοποίηση - Notification - Notification - Notifica - Pieteikums - Pranešimas - Bejelentés - Notifika - Kennisgeving - Zawiadomienie - Notificação - Hlásenie-Obvestilo - Ilmoitus - Anmälan - Нотификация : 2015/0130/UK - Notificare.

No abre el plazo - Nezahtuje odklady - Fristerne indledes ikke - Kein Fristbeginn - Viivituste perioodi ei avata - Καμμία έναρξη προθεσμίας - Does not open the delays - N'ouvre pas de délais - Non fa decorrere la mora - Neietekmē atlikšanu - Atidėjimai nepradedami - Nem nyitja meg a késések - Ma' jiftaħ il-perijodi ta' dawmien - Geen termijnbegin - Nie otwiera opóźnień - Nao inicia o prazo - Neotvorí oneskorenia - Ne uvaja zamud - Määräaika ei ala tästä - Inleder ingen frist - Не се предвижда период на прекъсване - Nu deschide perioadele de stagnare - Nu deschide perioadele de stagnare.

(MSG: 201500755.EN)

#### 1. Structured Information Line

MSG 001 IND 2015 0130 UK EN 18-03-2015 UK NOTIF

#### 2. Member State

UK

#### 3. Department Responsible

Department for Business, Innovation and Skills  
European Reform Directorate  
1 Victoria Street, London, SW1H 0ET.

Email: 9834@bis.gsi.gov.uk.

#### 3. Originating Department

Scottish Government  
Directorate-General for Learning and Justice  
Directorate for Safer Communities  
Safer Communities Division



St Andrew's House  
Regent Road  
Edinburgh  
EH1 3DG

#### **4. Notification Number**

2015/0130/UK - X20M

#### **5. Title**

Air Weapons and Licensing (Scotland) Bill

#### **6. Products Concerned**

The Bill introduces a requirement for an air weapon certificate for people who wish to use, possess, purchase or acquire an air weapon in Scotland. The new requirement will apply with regard to most low-powered air weapons which are capable of discharging a missile with kinetic energy, as measured at the muzzle of the weapon, of more than 1 joule and equal to or lower than 12 foot-pounds (approximately 16.27 joules), or 6 foot-pounds for an air pistol (approximately 8.13 joules).

#### **7. Notification Under Another Act**

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#### **8. Main Content**

Part 1 of the Air Weapons and Licensing (Scotland) Bill sets out a new licensing system for air weapons which will be administered by the Police Service of Scotland. It has been developed in consultation with the police and other stakeholders, and was the subject of public consultation in early 2013. It follows, where appropriate, the existing licensing regime in relation to firearms, set out in the Firearms Act 1968 and other legislation.

Specific provisions define the types of weapons to be covered; set out the primary requirement to have a valid air weapon certificate; provide for a system of temporary permits, including permits for visitors to Scotland, and exemptions from the main requirement; and set certain restrictions on commercial transactions involving air weapons.

A number of new offences and penalties are defined in the Bill, including the primary offence of using, possessing, purchasing or acquiring an air weapon without holding an air weapon certificate, or an appropriate permit or exemption.

The UK will fulfil its obligations under Article 12 of Directive 98/34/EC when the Bill is officially published.

#### **9. Brief Statement of Grounds**

The Scottish Government has a long standing commitment to modernise the law around air weapons, to better protect Scotland's communities from inappropriate and unsafe airgun use. Powers to regulate air weapons were transferred to the Scottish Parliament by the Scotland Act 2012, on 3 July 2012.

It is estimated that there could be some 500,000 air weapons in circulation in Scotland which are currently unregistered and largely unregulated. The Scottish Government does not consider it appropriate that so many potentially lethal weapons should be available with no record of their location, or the uses to which they are



being put. Air weapons accounted for almost half (47%) of all offences in Scotland allegedly involving a firearm in 2012-13.

The provisions of Part 1 of the Bill do not impose a ban on air weapons in Scotland. The Scottish Government recognises that there are legitimate reasons to possess and use an air weapon. The draft measures enable a fit person to obtain a licence to possess and use an air weapon in a regulated way without compromising public safety, while removing air weapons from those who would misuse them. The intention of the draft measure is to protect and reassure the public, while providing a regime which is appropriate and practicable for regulators and users.

#### **10. Reference Documents - Basic Texts**

References of the Basic Texts: The Scotland Act 2012 - section 10  
Available at <http://www.legislation.gov.uk/ukpga/2012/11/section/10>

#### **11. Invocation of the Emergency Procedure**

No

#### **12. Grounds for the Emergency**

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#### **13. Confidentiality**

No

#### **14. Fiscal measures**

No

#### **15. Impact assessment**

Yes

#### **16. TBT and SPS aspects**

TBT aspect

No - The draft has no significant impact on international trade

SPS aspect

No - The draft is not a sanitary or phytosanitary measure

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European Commission

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**EUROPEAN COMMISSION**  
GROWTH DIRECTORATE-GENERAL

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Prevention of Technical Barriers

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