



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART IV

OFFENCES, POWERS OF CONSTABLES, ETC.

Offences of annoying, offensive, obstructive or dangerous behaviour

54 Playing instruments, singing, playing radios, etc.

(1) Any person who—

- (a) sounds or plays any musical instrument;
- (b) sings or performs; or
- (c) operates any radio or television receiver, record player, tape-recorder or other sound producing device

so as to give any other person reasonable cause for annoyance and fails to desist on being required to do so by a constable in uniform, shall be guilty of an offence and liable, on summary conviction, to a fine not exceeding £50.

(2) This section is without prejudice to any offence under section 62 of the Control of Pollution Act 1974 (operation of loudspeakers in streets).

(3) Subsection (1) above shall not apply to the operation of a loudspeaker—

- (a) for police, fire brigade or ambulance purposes, by a water authority in the exercise of any of its functions, or by a local authority within its area ;
- (b) for communicating with persons on a vessel for the purpose of directing the movement of that or any other vessel;
- (c) if the loudspeaker forms part of a public telephone system;
- (d) if the loudspeaker—
 - (i) is in or fixed to a vehicle, and
 - (ii) is operated solely for the entertainment of or for communicating with the driver or a passenger of the vehicle or, where the loudspeaker is

Status: This is the original version (as it was originally enacted).

- or forms part of the horn or similar warning instrument of the vehicle,
solely for giving warning to other traffic, and
- (iii) is so operated as not to give reasonable cause for annoyance to persons
in the vicinity ;
- (e) otherwise than on a highway, by persons employed in connection with a
transport undertaking used by the public in a case where the loudspeaker
is operated solely for making announcements to passengers or prospective
passengers or to other persons so employed ;
- (f) by a travelling showman on land which is being used for the purposes of a
pleasure fair;
- (g) in case of emergency.

In this subsection, " water authority " has the meaning assigned by section 3 of the
Water (Scotland) Act 1980.