



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART IV

OFFENCES, POWERS OF CONSTABLES, ETC.

Powers of constables etc.

59 Powers of arrest and apprehension

- (1) Subject to subsection (2) below, a constable may, where it is necessary in the interests of justice to do so, arrest without warrant a person whom he finds committing an offence to which this section applies or a person who is delivered into his custody in pursuance of subsection (3) below.
- (2) A constable who is not in uniform shall produce his identification if required to do so by any person whom he is arresting under subsection (1) above.
- (3) The owner, tenant or occupier of any property in, upon, or in respect of, which an offence to which this section applies is being committed or any person authorised by him may apprehend any person whom the owner or, as the case may be, the tenant, occupier or authorised person finds committing that offence and detain the apprehended person until he can be delivered into the custody of a constable.

In this subsection "property" means heritable or moveable property.

- (4) This section applies to offences under sections 50, 57 and 58 of this Act.
- (5) This section shall not prejudice any power of arrest conferred by law apart from this section.