



Emergency Workers (Scotland) Act 2005

2005 asp 2

1 Assaulting or impeding certain providers of emergency services

- (1) A person who assaults, obstructs or hinders another person acting in a capacity mentioned in subsection (3) below commits an offence.
- (2) No offence is committed under subsection (1) above unless the person who assaults, obstructs or hinders knows or ought to know that the person being assaulted, obstructed or hindered is acting in that capacity.
- (3) The capacity referred to in subsection (1) above is—
 - (a) that of a constable;
 - [^{F1}(zb) that of a person employed by [^{F2}the Scottish Fire and Rescue Service while discharging any of the Service's functions] under any of sections 9 to 13 (fire-fighting, road traffic accidents, other emergencies, emergency directions and other eventualities), 25, 27 and 29 (powers of authorised employees in relation to emergencies, obtaining information and investigating fires) of that Act;
 - (b) that of a person providing assistance under arrangements made by virtue of section 35 (assistance other than from relevant authorities) or 36 (arrangements for carrying out of functions by others) of the Fire (Scotland) Act 2005 other than assistance given to [^{F3}the Scottish Fire and Rescue Service for the purpose of carrying out any of the functions conferred on the Service] by section 8 or 61 of that Act;]^{F4} ...
 - (c) that of a person acting for the Scottish Ambulance Service Board in exercise of the function referred to in article 4(1)(a) of the Scottish Ambulance Service Board Order 1999 (S.I. 1999/686) (exercise by the Board of function of providing ambulances and other means of transport for ill and other persons).
 - [^{F5}(d) that of a registered medical practitioner;
 - (e) that of a registered nurse; or
 - (f) that of a registered midwife]

Textual Amendments

- F1** S.1(3)(zb)(b) substituted (2.8.2005) for s 1.(3)(b) by [Fire \(Scotland\) Act 2005 \(asp 5\), ss. 38\(2\), 90](#) (with s. 77); [S.S.I. 2005/392, art. 2\(e\)](#)

Changes to legislation: There are currently no known outstanding effects for the
Emergency Workers (Scotland) Act 2005, Section 1. (See end of Document for details)

- F2** Words in s. 1(3)(zb) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 67(a)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F3** Words in s. 1(3)(b) substituted (1.4.2013) by Police and Fire Reform (Scotland) Act 2012 (asp 8), s. 129(2), **sch. 7 para. 67(b)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F4** Word in s. 1(3)(b) omitted (1.4.2008) by virtue of Emergency Workers (Scotland) Act 2005 (Modification) Order 2008 (S.S.I. 2008/37), arts. 1, **2(a)**
- F5** S. 1(3)(d)-(f) added (1.4.2008) by Emergency Workers (Scotland) Act 2005 (Modification) Order 2008 (S.S.I. 2008/37), arts. 1, **2(b)**

Modifications etc. (not altering text)

- C1** S. 1 applied (with modifications) (1.4.2013) by The Police and Fire Reform (Scotland) Act 2012 (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), arts. 1(2), **24**

Commencement Information

- I1** S. 1 in force at 9.5.2005 by S.S.I. 2005/229, **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Emergency Workers (Scotland) Act 2005, Section 1.