



Fire (Scotland) Act 2005

2005 asp 5

PART 2

FIRE AND RESCUE SERVICES

CHAPTER 7

ASSAULTING OR IMPEDING EMPLOYEES AND OTHERS

39 Assaulting or impeding employees discharging certain functions

- (1) A person who assaults, obstructs or hinders another person who is—
 - (a) an employee of [F¹SFRS]; and
 - (b) discharging any of the functions conferred on [F²SFRS] under section 8, 17 or 61,commits an offence.
- (2) A person who assaults, obstructs or hinders another person who is providing assistance to [F³SFRS] under arrangements made by virtue of section 35 for the purpose of the carrying out by [F⁴SFRS] of any of the functions conferred on it by virtue of section 8 or 61 commits an offence.
- (3) A person who assaults, obstructs or hinders another person who is by virtue of section 36 carrying out a function conferred on [F⁵SFRS] by virtue of section 8 or 61 commits an offence.
- (4) A person guilty of an offence under this section shall be liable on summary conviction to imprisonment for a period not exceeding [F⁶12] months or to a fine not exceeding level 4 on the standard scale [F⁷ or to both].

Textual Amendments

- F1** Word in s. 39(1)(a) substituted (1.4.2013) by [Police and Fire Reform \(Scotland\) Act 2012 \(asp 8\)](#), s. 129(2), [Sch. 7 para. 68\(14\)\(a\)\(i\)](#); S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)

Changes to legislation: *There are currently no known outstanding effects for the Fire (Scotland) Act 2005, Section 39. (See end of Document for details)*

- F2** Word in s. 39(1)(b) substituted (1.4.2013) by **Police and Fire Reform (Scotland) Act 2012 (asp 8)**, s. 129(2), **Sch. 7 para. 68(14)(a)(ii)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F3** Word in s. 39(2) substituted (1.4.2013) by **Police and Fire Reform (Scotland) Act 2012 (asp 8)**, s. 129(2), **Sch. 7 para. 68(14)(b)(i)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F4** Word in s. 39(2) substituted (1.4.2013) by **Police and Fire Reform (Scotland) Act 2012 (asp 8)**, s. 129(2), **Sch. 7 para. 68(14)(b)(ii)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F5** Word in s. 39(3) substituted (1.4.2013) by **Police and Fire Reform (Scotland) Act 2012 (asp 8)**, s. 129(2), **Sch. 7 para. 68(14)(c)**; S.S.I. 2013/51, art. 2 (with transitional provisions and savings in S.S.I. 2013/121)
- F6** Word in s. 39(4) substituted (10.12.2007) by **Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6)**, **ss. 44(5)(a)**, 84 (with s. 44(6)); S.S.I. 2007/479, **art. 3**, Sch.
- F7** Words in s. 39(4) added (10.12.2007) by **Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6)**, **ss. 44(5)(b)**, 84 (with s. 44(6)); S.S.I. 2007/479, **art. 3**, Sch.

Changes to legislation:

There are currently no known outstanding effects for the Fire (Scotland) Act 2005, Section 39.