



Police, Public Order and Criminal Justice (Scotland) Act 2006

2006 asp 10

PART 2

PUBLIC ORDER ETC.

CHAPTER 3

OTHER PROVISIONS

Offensive weapons

74 Amendment of requirements for exercise of certain powers of arrest

- (1) The Criminal Law (Consolidation) (Scotland) Act 1995 (c. 39) is amended as follows.
- (2) In section 47(3) (power of constable to arrest without warrant person suspected of possessing an offensive weapon in a public place)—
 - (a) after “believe” where first occurring there is inserted “ to have committed or ”; and
 - (b) the words from “if” to the end are repealed.
- (3) In section 48(3) (power of constable to arrest without warrant person suspected of obstructing search for offensive weapon), after “committed” there is inserted “ or is committing ”.
- (4) In section 50(3) (power of constable to arrest without warrant person suspected of contravening section 49(1) or 49A(1) or (2)), the following provisions are repealed—
 - (a) paragraph (a) and the words “and the constable” immediately preceding it; and
 - (b) paragraph (b).

Changes to legislation:

Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 74 is up to date with all changes known to be in force on or before 16 December 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 47A inserted by [2023 c. 41 s. 45\(3\)](#)