



Glasgow Commonwealth Games Act 2008

2008 asp 4

Enforcement

23 Restrictions on general enforcement power

- (1) An infringing article may be seized by an enforcement officer only if the officer considers it appropriate to do so for the purpose of—
 - (a) ending the commission of a Games offence,
 - (b) preventing the future commission of such an offence,
 - (c) enabling the article to be used in proceedings for such an offence, or
 - (d) enabling the article to be forfeited in accordance with Part 2 of the Proceeds of Crime (Scotland) Act 1995 (c. 43).

- (2) A seized article must be returned when retention of it is no longer justified for the purposes mentioned in subsection (1).

This subsection does not apply to perishable articles which no longer have any commercial value.

- (3) An infringing article may be concealed by an enforcement officer only if the officer considers it appropriate to do so for the purpose of—
 - (a) ending the commission of an advertising offence, or
 - (b) preventing the future commission of such an offence.

- (4) A concealed article must be revealed when concealing it is no longer justified for the purposes mentioned in subsection (3).

- (5) An infringing article may be destroyed only if the enforcement officer considers it appropriate to do so for the purposes mentioned in subsection (3) and does not consider seizing or concealing the article to be a reasonable alternative course of action in the circumstances.