



Police and Fire Reform (Scotland) Act 2012

2012 asp 8

PART 1

POLICE REFORM

CHAPTER 15

OFFENCES

90 Assaulting or impeding police

- (1) It is an offence for a person to assault—
 - (a) a person (“A”) acting in a capacity mentioned in subsection (3), or
 - (b) a person assisting A while A is acting in such capacity.
- (2) It is an offence for a person to resist, obstruct or hinder—
 - (a) a person (“A”) acting in a capacity mentioned in subsection (3), or
 - (b) a person assisting A while A is acting in such capacity.
- (3) The capacities are—
 - (a) that of a constable,
 - (b) that of a member of police staff,
 - (c) that of a member of a relevant police force when such member is executing a warrant or is otherwise acting in Scotland by virtue of any enactment conferring powers on the member in Scotland,
 - (d) that of a person who—
 - (i) is a member of an international joint investigation team that is led by a person acting in a capacity mentioned in paragraph (a) or (c), and
 - (ii) is carrying out functions as a member of that team.
- (4) A person who is guilty of an offence under subsection (1) or (2) is liable on summary conviction to imprisonment for a period not exceeding 12 months or to a fine not exceeding the statutory maximum, or to both.

Status: This is the original version (as it was originally enacted).

- (5) A complaint may include a charge that is framed so as to comprise (in a combined form) the specification of both an offence under subsection (1) and an offence under subsection (2).
- (6) Where a charge in a complaint is so framed the charge is to be regarded as being a single yet cumulative charge.
- (7) In this section and section 91, a reference to a member of a relevant police force is a reference to a member of—
- (a) a police force maintained under section 2 of the Police Act 1996 (c.16),
 - (b) the metropolitan police force,
 - (c) the City of London police force, or
 - (d) the Police Service of Northern Ireland.