



Bail etc. (Scotland) Act 1980

1980 CHAPTER 4

8 Interim liberation by officer in charge of police station

For section 295 of the 1975 Act (chief constable may in certain circumstances accept bail) there shall be substituted the following section—

“295 Interim liberation by officer in charge of police station.

- (1) Where a person has been arrested and charged with an offence which may be tried summarily, the officer in charge of a police station may—
 - (a) liberate him upon a written undertaking, signed by him and certified by the said officer, in terms of which that person undertakes to appear at a specified court at a specified time; or
 - (b) liberate him without any such undertaking; or
 - (c) refuse to liberate him, and such refusal and the detention of that person until his case is tried in the usual form shall not subject the officer to any claim whatsoever.
- (2) A person in breach of an undertaking given by him under subsection (1) above without reasonable excuse shall be guilty of an offence and liable on summary conviction to the following penalties—
 - (a) a fine not exceeding £200; and
 - (b) imprisonment for a period—
 - (i) where conviction is in the district court, not exceeding 60 days; or
 - (ii) where conviction is in the sheriff court, not exceeding 3 months.
- (3) Subsections (4) and (5) of section 294 of this Act shall, subject to any necessary modifications, apply for the purposes of this section as they apply for the purposes of that section.”.