



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

2006 asp 10

## PART 3

### CRIMINAL JUSTICE

#### *Powers in relation to suspects and witnesses*

#### **81 Power to require giving of certain information in addition to name and address**

- (1) Section 13 of the Criminal Procedure (Scotland) Act 1995 (c. 46) (“the 1995 Act”) (which gives police constables certain powers in relation to suspects and witnesses) is amended in accordance with subsections (2) to (5).
- (2) In subsection (1), in each of paragraphs (a) and (b), for “his name and address” there is substituted “ the information mentioned in subsection (1A) below ”.
- (3) After subsection (1), there is inserted—

“(1A) That information is—

  - (a) the person's name;
  - (b) the person's address;
  - (c) the person's date of birth;
  - (d) the person's place of birth (in such detail as the constable considers necessary or expedient for the purpose of establishing the person's identity); and
  - (e) the person's nationality.”.
- (4) In subsection (2)(a), for “name and address” there is substituted “ information mentioned in subsection (1A) above ”.
- (5) In subsection (6), in each of paragraphs (a)(i) and (b), for “his name and address” there is substituted “ the information mentioned in subsection (1A) above ”.
- (6) Section 14 of the 1995 Act (detention and questioning at a police station) is amended as follows—

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**Changes to legislation:** Police, Public Order and Criminal Justice (Scotland) Act 2006, Section 81 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. (See end of Document for details) [View outstanding changes](#)

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- (a) in subsection (9), for “his name and address” there is substituted “ the information mentioned in subsection (10) below ”; and
- (b) after that subsection, there is inserted—
  - “(10) That information is—
    - (a) the person's name;
    - (b) the person's address;
    - (c) the person's date of birth;
    - (d) the person's place of birth (in such detail as a constable considers necessary or expedient for the purpose of establishing the person's identity); and
    - (e) the person's nationality.”.

**Changes to legislation:**

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**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\(3\)](#)