



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART IV

OFFENCES, POWERS OF CONSTABLES, ETC.

Powers of constables etc.

59 Powers of arrest and apprehension.

^{F1}(1)

^{F1}(2)

(3) The owner, tenant or occupier of any property in, upon, or in respect of, which an offence to which this section applies is being committed or any person authorised by him may apprehend any person whom the owner or, as the case may be, the tenant, occupier or authorised person finds committing that offence and detain the apprehended person until [^{F2}the arrival] of a constable.

In this subsection “property” means heritable or moveable property.

(4) This section applies to offences under sections 50, 57 and 58 of this Act.

^{F3}(5)

Textual Amendments

F1 S. 59(1)(2) repealed (25.1.2018) by [Criminal Justice \(Scotland\) Act 2016 \(asp 1\)](#), s. 117(2), [sch. 2 para. 7\(a\)](#); S.S.I. 2017/345, art. 3, sch.

F2 Words in s. 59(3) substituted (25.1.2018) by [Criminal Justice \(Scotland\) Act 2016 \(asp 1\)](#), s. 117(2), [sch. 2 para. 7\(b\)](#); S.S.I. 2017/345, art. 3, sch.

F3 S. 59(5) repealed (25.1.2018) by [Criminal Justice \(Scotland\) Act 2016 \(asp 1\)](#), s. 117(2), [sch. 2 para. 7\(a\)](#); S.S.I. 2017/345, art. 3, sch.

Changes to legislation:

Civic Government (Scotland) Act 1982, Section 59 is up to date with all changes known to be in force on or before 29 April 2024. 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- s. 22(1)(c) repealed by [2015 asp 10 s. 65\(3\)](#)
- s. 49(9) added by [2010 asp 13 s. 200\(1\)\(b\)](#)