



# Adult Support and Protection (Scotland) Act 2007

2007 asp 10

## PART 1

### PROTECTION OF ADULTS AT RISK OF HARM

#### *Other provisions*

#### **49 Obstruction**

- (1) A person commits an offence by, without reasonable excuse, preventing or obstructing any other person from doing anything which the other person is authorised or entitled to do by virtue of—
  - (a) an assessment order,
  - (b) a removal order,
  - (c) a banning order,
  - (d) a temporary banning order,
  - (e) a warrant for entry, or
  - (f) any provision of this Part.
- (2) A person commits an offence by, without reasonable excuse, refusing or otherwise failing to comply with a requirement made under section 10.
- (3) A person who is guilty of an offence under this section is liable, on summary conviction—
  - (a) to a fine not exceeding level 3 on the standard scale,
  - (b) to be imprisoned for a term not exceeding 3 months, or
  - (c) to both such a fine and such imprisonment.
- (4) Nothing done by a person whose well-being or property another person is attempting to investigate or safeguard constitutes an offence under this section.

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**Changes to legislation:** *There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 49. (See end of Document for details)*

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**Commencement Information**

**II** [S. 49](#) in force at 29.10.2008 by [S.S.I. 2008/314](#), **art. 2**

**Changes to legislation:**

There are currently no known outstanding effects for the Adult Support and Protection (Scotland) Act 2007, Section 49.