



Police and Fire Reform (Scotland) Act 2012

2012 asp 8

PART 1

POLICE REFORM

CHAPTER 9

POLICE APPEALS TRIBUNALS

59 Powers to obtain information

- (1) The person appointed to chair a police appeals tribunal (the chairing member) may require the appellant, respondent or any other person—
 - (a) to attend a hearing of the tribunal, at such time and such place as the chairing member may specify, for the purposes of giving evidence,
 - (b) to give to the tribunal, by such day as the chairing member may specify, such documents or information as the tribunal may reasonably require.
- (2) Subsection (1) does not authorise the chairing member or the tribunal to require any person to answer any question or to disclose anything which the person would be entitled to refuse to answer or disclose in civil proceedings in the Court of Session.
- (3) It is an offence for any person on whom a requirement under subsection (1) is served to—
 - (a) fail to attend a hearing of the tribunal as required by the citation,
 - (b) refuse or fail, while attending such a hearing as so required, to answer any question,
 - (c) refuse or fail to give the tribunal any document or information so required,
 - (d) knowingly or recklessly make any statement in respect of any information so required which is false or misleading in a material respect, or
 - (e) deliberately alter, suppress, conceal or destroy any document so required.

Changes to legislation: Police and Fire Reform (Scotland) Act 2012, Section 59 is up to date with all changes known to be in force on or before 06 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. (See end of Document for details) View outstanding changes

- (4) A person who is guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (5) It is a defence for a person charged with an offence under subsection (3)(a), (b) or (c) to show that the person had a reasonable excuse for the refusal or failure.

Commencement Information

II [S. 59](#) in force at 1.4.2013 by [S.S.I. 2013/51](#), [art. 2](#)

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[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):

- Ch. 12A inserted by [2017 asp 4 s. 1\(1\)](#)
- s. 17(2)(h) inserted by [2017 asp 4 s. 2\(a\)\(ii\)](#)
- s. 17(4)(b)(iv) inserted by [2017 asp 4 s. 2\(b\)\(ii\)](#)
- s. 20A inserted by [2017 asp 4 s. 3](#)