Criminal Justice (Scotland) Act 2016

2016 asp 1

PART 1

ARREST AND CUSTODY

CHAPTER 6

POLICE POWERS AND DUTIES

Powers of police

47 Common law power of search etc.

(1) Nothing in this Part affects any rule of law by virtue of which a constable may exercise a power of the type described in subsection (2).

(2) The type of power is a power that a constable may exercise in relation to a person by reason of the person's having been arrested and charged with an offence by a constable.

(3) Powers of the type described in subsection (2) include the power to—

(a) search the person,

(b) seize any item in the person's possession,

(c) cause the person to participate in an identification procedure.