



# Civic Government (Scotland) Act 1982

## 1982 CHAPTER 45

### PART II

#### LICENSING AND REGULATION—PARTICULAR ACTIVITIES

##### *[<sup>F1</sup>Licensing and regulation of knife dealers*

#### **[<sup>F1</sup>27F Powers of constables and authorised officers**

- (1) A constable or an authorised officer may use reasonable force in executing a warrant granted under section 27E(2).
- (2) Where a constable who is not in uniform is about to enter, is entering or has entered any premises under the powers conferred under section 27E(2) he must, if required to do so by a person in or upon the premises, produce his identification.
- (3) Where an authorised officer is about to enter, is entering or has entered any premises under the powers conferred under section 27E(2) he must, if required to do so by a person in or upon the premises, produce his authorisation.
- (4) If a constable has been required to produce his identification under subsection (2) he is not entitled to enter or search the premises or, as the case may be, remain there or continue to search the premises until he has produced it.
- (5) If an authorised officer has been required to produce his authority under subsection (3), he is not entitled to enter or search the premises or, as the case may be, remain there or continue to search the premises until he has produced it.
- (6) Any person who—
  - (a) fails without reasonable excuse to permit a constable, or an authorised officer, acting in pursuance of a warrant granted under section 27E(2) to enter and search any premises; or
  - (b) obstructs the entry to, or search of, any premises by a constable or an authorised officer so acting,

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*Status: Point in time view as at 01/06/2009. This version of this provision has been superseded.*

**Changes to legislation:** *Civic Government (Scotland) Act 1982, Section 27F is up to date with all changes known to be in force on or before 28 May 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)*

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is guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

- (7) Any relevant article which has been seized and removed under a warrant granted under section 27E(2) may be retained until the conclusion of proceedings against the suspect.
- (8) For the purposes of subsection (7), proceedings in relation to a suspect are concluded if—
- (a) he is found guilty and sentenced or otherwise dealt with for the offence;
  - (b) he is acquitted;
  - (c) proceedings for the offence are discontinued;
  - (d) it is decided not to prosecute him.
- (9) In this section, “suspect” is to be construed in accordance with section 27E(3).]

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#### **Textual Amendments**

- F1** Ss. 27A-27S and cross-heading inserted (1.11.2007 for specified purposes, 1.6.2009 for specified purposes, 1.9.2009 for specified purposes, 1.6.2010 in so far as not already in force) by [Custodial Sentences and Weapons \(Scotland\) Act 2007 \(asp 17\)](#), **ss. 58, 67(2)**; S.S.I. 2007/431, art. 3, sch., S.S.I. 2009/197, art. 2, Sch.

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