



# Emergency Workers (Scotland) Act 2005

## 2005 asp 2

### 4 Provisions supplementary to sections 1 to 3

- (1) A person may be convicted of the offence under section 1, 2 or 3 of this Act of obstructing or hindering notwithstanding that it is—
  - (a) effected by means other than physical means; or
  - (b) effected by action directed only at any vehicle, apparatus, equipment or other thing or any animal used or to be used by a person referred to in that section.
- (2) A person who gives false information with the intention that a person acting in a capacity mentioned in subsection (3) of section 1 of this Act will act upon that information is to be regarded, for the purposes of that section, as hindering the person acting in that capacity.
- (3) A person who gives false information with the intention that a person acting in a capacity mentioned in subsection (3) of section 2 of this Act will, while responding to emergency circumstances or instead of doing so, act upon that information is to be regarded, for the purposes of that section, as hindering the person acting in that capacity.
- (4) Subsections (2) and (3) above do not prejudice the generality of subsection (1)(a) above.
- (5) For the purposes of sections 2 and 3 of this Act, circumstances to which a person is responding are to be taken to be emergency circumstances if the person believes and has reasonable grounds for believing they are or may be emergency circumstances.
- (6) Evidence from a single source is sufficient evidence to establish, for the purposes of section 1, 2 or 3 of this Act, whether a person is acting in a capacity referred to in that section.

#### **Modifications etc. (not altering text)**

- C1** S. 4 applied (with modifications) (1.4.2013) by [The Police and Fire Reform \(Scotland\) Act 2012](#) (Consequential Provisions and Modifications) Order 2013 (S.I. 2013/602), arts. 1(2), 24

#### **Commencement Information**

- II** S. 4 in force at 9.5.2005 by [S.S.I. 2005/229](#), art. 2

**Changes to legislation:**

There are currently no known outstanding effects for the Emergency Workers (Scotland) Act 2005, Section 4.