



Police (Scotland) Act 1967 (repealed)

1967 CHAPTER 77

PART III

MISCELLANEOUS AND GENERAL

Offences and legal proceedings

43 Impersonation, etc.

(1) Subject to the provisions of this section, any person who—

- (a) takes the name, designation or character of a constable [^{F1}or police custody and security officer] for the purpose of obtaining admission into any house or other place or of doing or procuring to be done any act which such person would not be entitled to do or procure to be done of his own authority, or for any other unlawful purpose, or
- (b) wears any article of police uniform without the permission of the police authority for the police area in which he is, or
- (c) has in his possession any article of police uniform without being able to account satisfactorily for his possession thereof.

shall be guilty of an offence and on summary conviction shall be liable to a fine not exceeding [^{F2}level 4 on the standard scale] or to imprisonment for a period not exceeding three months.

(2) Nothing in subsection (1) of this section shall make it an offence to wear any article of police uniform in the course of taking part in a stage play, or music hall or circus performance, or of performing in or producing a cinematograph film or television broadcast.

[^{F3}(2A) For the purposes of this section—

- (a) “ constable ” includes a member of the British Transport Police Force, and
- (b) any reference to “ police ” includes a reference to that force.]

Status: Point in time view as at 27/06/2003. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Police (Scotland) Act 1967 (repealed), Section 43. (See end of Document for details)

(3) In this section “article of police uniform” means any article of uniform or any distinctive badge or mark usually issued by any police authority [^{F4}or by the British Transport Police Committee] to constables [^{F5}or police custody and security officers], or any article having the appearance of such article, badge or mark.

[^{F6}(4) In its application to articles of British Transport Police Force uniform, subsection (1) (b) has effect as if for the words “without the permission of the police authority for the police area in which he is” there were substituted the words “in circumstances where it gives him an appearance so nearly resembling that of a constable as to be calculated to deceive”.]

Textual Amendments

- F1** Words in s. 43(1)(a) inserted (27.6.2003) by Criminal Justice (Scotland) Act 2003 (asp 7), **ss. 76(6)(a), 89(2)**; S.S.I. 2003/288, art. 2, Sch.
- F2** Words substituted by Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **Sch. 7D** and by 1995 c. 40, ss. 3, 7(2), Sch. 1 para. 10, **Sch. 2 Pt. III** it is provided (1.4.1996) that s. 43(1) shall have effect as if the maximum fine that may be imposed on summary conviction for the offence mentioned therein were a fine not exceeding level 4 on the standard scale or 3 months instead of a fine not exceeding £50
- F3** S. 43(2A) inserted (7.1.2002) by 2001 c. 24, s. 101, **Sch. 7 para. 6(2)**; S.I. 2001/4104, **art. 2(d)**
- F4** Words in s. 43(3) inserted (7.1.2002) by 2001 c. 24, s. 101, **Sch. 7 para. 6(3)**; S.I. 2001/4104, **art. 2(d)**
- F5** Words in s. 43(3) inserted (27.6.2003) by Criminal Justice (Scotland) Act 2003 (asp 7), **ss. 76(6)(b), 89(2)**; S.S.I. 2003/288, art. 2, Sch.
- F6** S. 43(4) inserted (7.1.2002) by 2001 c. 24, s. 101, **Sch. 7 para. 6(4)**; S.I. 2001/4104, **art. 2(d)**

Status:

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