

Status: Point in time view as at 20/12/2017.

Changes to legislation: Civic Government (Scotland) Act 1982, Section 52C is up to date with all changes known to be in force on or before 01 July 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)



Civic Government (Scotland) Act 1982

1982 CHAPTER 45

PART IV

OFFENCES, POWERS OF CONSTABLES, ETC.

Offences of annoying, offensive, obstructive or dangerous behaviour

[^{F1}52C Section 52B: proof of exceptions

- (1) This section applies for the purpose of determining whether a matter within a paragraph of section 52B(2), (4), (6) or (8) of this Act is the case.
- (2) If sufficient evidence is adduced to raise an issue as to whether the matter is the case, it shall be held to be the case, except where subsection (3) below applies.
- (3) This subsection applies where the prosecution proves beyond reasonable doubt that the matter is not the case.
- (4) Otherwise, the matter shall be held not to be the case.]

Textual Amendments

F1 Ss. 52B, 52C inserted (7.10.2005) by [Protection of Children and Prevention of Sexual Offences \(Scotland\) Act 2005 \(asp 9\)](#), ss. 16(3), 20(2); S.S.I. 2005/480, art. 2

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