



Crime and Disorder Act 1998

1998 CHAPTER 37

PART I

PREVENTION OF CRIME AND DISORDER

CHAPTER II

SCOTLAND

24 Noise-making equipment: police power of seizure.

- (1) The ^{M1}Civic Government (Scotland) Act 1982 shall be amended in accordance with this section.
- (2) In section 54 (offence of playing instruments, etc.), after subsection (2) there shall be inserted the following subsections—
 - “(2A) Where a constable reasonably suspects that an offence under subsection (1) above has been committed in relation to a musical instrument or in relation to such a device as is mentioned in paragraph (c) of that subsection, he may enter any premises on which he reasonably suspects that instrument or device to be and seize any such instrument or device he finds there.
 - (2B) A constable may use reasonable force in the exercise of the power conferred by subsection (2A) above.
 - (2C) Schedule 2A to this Act (which makes provision in relation to the retention and disposal of property seized under subsection (2A) above) shall have effect.”
- (3) In section 60 (powers of search and seizure)—
 - (a) in subsection (5)—
 - (i) after the words “Nothing in” there shall be inserted the words “section 54(2A) of this Act or ”; and

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Changes to legislation: *Crime and Disorder Act 1998, Section 24 is up to date with all changes known to be in force on or before 29 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)*

- (ii) for the words from “which” to the end there shall be substituted the words “ which is otherwise exercisable by a constable ”; and
 - (b) in subsection (6)—
 - (i) in paragraph (a), for the words from “in pursuance” to the word “vessel” there shall be substituted the words—
 - “to enter and search—
 - (i) any premises in pursuance of section 54(2A) of this Act or of subsection (1) above; or
 - (ii) any vehicle or vessel in pursuance of the said subsection (1),”; and
 - (ii) in paragraph (c), after “under” there shall be inserted the words “ section 54(2A) of this Act or ”.
- (4) After Schedule 2 there shall be inserted the Schedule set out in Schedule 1 to this Act.

Marginal Citations

M1 [1982 c.45.](#)

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