



# Criminal Justice Act 1972

## 1972 CHAPTER 71

### PART IV

#### ADMINISTRATIVE PROVISIONS

#### **60 Power of entry in connection with acquisition of land for prisons.**

- (1) Any person authorised in writing by the Secretary of State may enter any land and survey it for the purpose of enabling the Secretary of State to determine whether to exercise his powers under section 36 of the <sup>M1</sup>Prison Act 1952 (acquisition of land for prisons) in respect of that land.
- (2) The power conferred by this section to survey land shall be construed as including power to search and bore for the purpose of ascertaining the nature of the subsoil.
- (3) A person authorised under this section to enter any land shall, if so required, produce evidence of his authority before entering, and shall not—
  - (a) demand admission as of right to any land which is occupied unless fourteen days' notice of the intended entry has been given to the occupier; or
  - (b) Carry out any works authorised by subsection (2) of this section unless notice of his intention to do so is included in the notice required by the foregoing paragraph.
- (4) Where any land is damaged in the exercise of powers conferred by this section, compensation in respect of that damage may be recovered by any person interested in the land from the Secretary of State.
- (5) Any question of disputed compensation under this section shall be referred to and determined by the [<sup>F1</sup>Upper Tribunal]; and, in relation to the determination of any such question, the provisions of [<sup>F2</sup>section] 4 of the <sup>M2</sup>Land Compensation Act 1961 shall apply subject to any necessary modifications.
- (6) Any person who wilfully obstructs a person acting in the exercise of his powers under this section shall be guilty of an offence and liable on summary conviction to a fine not exceeding [<sup>F3</sup>level 3 on the standard scale].

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*Status: Point in time view as at 01/10/2012. This version of this provision has been superseded.*

*Changes to legislation: There are currently no known outstanding effects for the Criminal Justice Act 1972, Section 60. (See end of Document for details)*

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#### Textual Amendments

- F1** Words in s. 60(5) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 100(a)** (with Sch. 5)
- F2** Word in s. 60(5) substituted (1.6.2009) by [The Transfer of Tribunal Functions \(Lands Tribunal and Miscellaneous Amendments\) Order 2009 \(S.I. 2009/1307\)](#), art. 1, **Sch. 1 para. 100(b)** (with Sch. 5)
- F3** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46**

#### Marginal Citations

- M1** 1952 c. 52.
- M2** 1961 c. 33.

**Status:**

Point in time view as at 01/10/2012. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice Act 1972, Section 60.