



# Protection of Freedoms Act 2012

## 2012 CHAPTER 9

### PART 3

#### PROTECTION OF PROPERTY FROM DISPROPORTIONATE ENFORCEMENT ACTION

### CHAPTER 2

#### VEHICLES LEFT ON LAND

#### *Offence of immobilising etc. vehicles*

#### **54 Offence of immobilising etc. vehicles**

- (1) A person commits an offence who, without lawful authority—
  - (a) immobilises a motor vehicle by the attachment to the vehicle, or a part of it, of an immobilising device, or
  - (b) moves, or restricts the movement of, such a vehicle by any means, intending to prevent or inhibit the removal of the vehicle by a person otherwise entitled to remove it.
- (2) The express or implied consent (whether or not legally binding) of a person otherwise entitled to remove the vehicle to the immobilisation, movement or restriction concerned is not lawful authority for the purposes of subsection (1).
- (3) But, where the restriction of the movement of the vehicle is by means of a fixed barrier and the barrier was present (whether or not lowered into place or otherwise restricting movement) when the vehicle was parked, any express or implied consent (whether or not legally binding) of the driver of the vehicle to the restriction is, for the purposes of subsection (1), lawful authority for the restriction.
- (4) A person who is entitled to remove a vehicle cannot commit an offence under this section in relation to that vehicle.

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**Status:** Point in time view as at 01/10/2012.

**Changes to legislation:** Protection of Freedoms Act 2012, Cross Heading: Offence of immobilising etc. vehicles is up to date with all changes known to be in force on or before 26 June 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)

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- (5) A person guilty of an offence under this section is liable—
- (a) on conviction on indictment, to a fine,
  - (b) on summary conviction, to a fine not exceeding the statutory maximum.
- (6) In this section “motor vehicle” means a mechanically propelled vehicle or a vehicle designed or adapted for towing by a mechanically propelled vehicle.

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**Commencement Information**

**II** S. 54 in force at 1.10.2012 by S.I. 2012/2075, art. 3(a)

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