



Criminal Justice and Public Order Act 1994

1994 CHAPTER 33

PART V

PUBLIC ORDER: COLLECTIVE TRESPASS OR NUISANCE ON LAND

Powers to remove trespassers on land

[^{F1}62B Failure to comply with direction under section 62A: offences

- (1) A person commits an offence if he knows that a direction under section 62A(1) has been given which applies to him and—
 - (a) he fails to leave the relevant land as soon as reasonably practicable, or
 - (b) he enters any land in the area of the relevant local authority as a trespasser before the end of the relevant period with the intention of residing there.
- (2) The relevant period is the period of 3 months starting with the day on which the direction is given.
- (3) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding 3 months or a fine not exceeding level 4 on the standard scale or both.
- (4) A constable in uniform who reasonably suspects that a person is committing an offence under this section may arrest him without a warrant.
- (5) In proceedings for an offence under this section it is a defence for the accused to show—
 - (a) that he was not trespassing on the land in respect of which he is alleged to have committed the offence, or
 - (b) that he had a reasonable excuse—
 - (i) for failing to leave the relevant land as soon as reasonably practicable, or

Status: Point in time view as at 27/02/2004. This version of this provision has been superseded.

Changes to legislation: *Criminal Justice and Public Order Act 1994, Section 62B is up to date with all changes known to be in force on or before 09 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)*

- (ii) for entering land in the area of the relevant local authority as a trespasser with the intention of residing there, or
- (c) that, at the time the direction was given, he was under the age of 18 years and was residing with his parent or guardian.]

Textual Amendments

F1 S. 62B inserted (E.W.) (27.2.2004) by Anti-social Behaviour Act 2003 (c. 38), ss. 61, 93; S.I. 2003/3300, art. 3(b)

Status:

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