



Psychoactive Substances Act 2016

2016 CHAPTER 2

Powers for dealing with prohibited activities

26 Offence of failing to comply with a prohibition order or premises order

- (1) A person against whom a prohibition order or a premises order is made commits an offence by failing to comply with the order.
- (2) A person guilty of an offence under this section is liable—
 - (a) on summary conviction in England and Wales—
 - (i) to imprisonment for a term not exceeding 12 months (or 6 months, if the offence was committed before the commencement of [^{F1}paragraph 24(2) of Schedule 22 to the Sentencing Act 2020]), or
 - (ii) to a fine,or both;
 - (b) on summary conviction in Scotland—
 - (i) to imprisonment for a term not exceeding 12 months, or
 - (ii) to a fine not exceeding the statutory maximum,or both;
 - (c) on summary conviction in Northern Ireland—
 - (i) to imprisonment for a term not exceeding 6 months, or
 - (ii) to a fine not exceeding the statutory maximum,or both;
 - (d) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine, or both.
- (3) A person does not commit an offence under this section if—
 - (a) the person took all reasonable steps to comply with the order, or
 - (b) there is some other reasonable excuse for the failure to comply.

Status: Point in time view as at 01/12/2020. This version of this provision has been superseded.

Changes to legislation: There are currently no known outstanding effects for the Psychoactive Substances Act 2016, Section 26. (See end of Document for details)

Textual Amendments

- F1** Words in s. 26(2)(a)(i) substituted (1.12.2020) by [Sentencing Act 2020 \(c. 17\)](#), s. 416(1), [Sch. 24 para. 443\(1\)](#) (with [Sch. 24 para. 447](#), [Sch. 27](#)); [S.I. 2020/1236](#), reg. 2

Commencement Information

- I1** S. 26 in force at 26.5.2016 by [S.I. 2016/553](#), [reg. 2](#)

Status:

Point in time view as at 01/12/2020. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the Psychoactive Substances Act 2016, Section 26.