



Vagrancy Act 1935

1935 CHAPTER 20

1 Amendment of 5 Geo. 4. c. 83, s. 4.

- (1) So much of section four of the Vagrancy Act, 1824, as enacts that a person wandering abroad and lodging in any bam or outhouse, or in any deserted or unoccupied building, or in the open air, or under a tent, or in any cart or waggon, not having any visible means of subsistence, and not giving a good account of himself, shall be deemed a rogue and vagabond within the meaning of that Act, shall have effect subject to the following provisions of this section.
- (2) The words " not having any visible means of subsistence " in the said enactment are hereby repealed.
- (3) A person wandering abroad and lodging as aforesaid shall not be deemed by virtue of the said enactment a rogue and vagabond within the meaning of the said Act unless it is proved either—
 - (a) that, in relation to the occasion on which he lodged as aforesaid, he had been directed to a reasonably accessible place of shelter and failed to apply for, or refused, accommodation there;
 - (b) that he is a person who persistently wanders abroad and, notwithstanding that a place of shelter is reasonably accessible, lodges or attempts to lodge as aforesaid; or
 - (c) that by, or in the course of, lodging as aforesaid he caused damage to property, infection with vermin, or other offensive consequence, or that he lodged as aforesaid in such circumstances as to appear to be likely so to do.

In this subsection the expression "a place of shelter" means a place where provision is regularly made for giving (free of charge) accommodation for the night to such persons as apply therefor.

- (4) The reference in the said enactment to a person lodging under a tent or in a cart or waggon shall not be deemed to include a person lodging under a tent or in a cart or waggon with or in which he travels.