



Game Act 1831

1831 CHAPTER 32 1 and 2 Will 4

30 Penalty on persons trespassing in the day-time upon lands in search of game. Where the Occupier of the Land, not being entitled to the Game, allows any Person to kill it, the Party entitled to the Game may enforce the Penalty.

[^{F1}(1)] ^{F2}... if any person whatsoever shall commit any trespass by entering or being in the daytime upon any land in search or pursuit of game, or woodcocks, snipes, ^{F3}... or conies, such person shall, on [^{F4}summary conviction, be liable to imprisonment for a term not exceeding 51 weeks, to a fine or to both], ^{F5}... : Provided always, that any person charged with any such trespass shall be at liberty to prove, by way of defence, any matter which would have been a defence to an action at law for such trespass; save and except that the leave and licence of the occupier of the land so trespassed upon shall not be a sufficient defence in any case where the landlord, lessor, or other person shall have the right of killing the game upon such land by virtue of any reservation or otherwise, as herein-before mentioned; but such landlord, lessor, or other person shall, for the purpose of prosecuting for [^{F6}the offence] herein last before mentioned, be deemed to be the legal occupier of such land, whenever the actual occupier thereof shall have given such leave or licence; and that the lord or steward of the crown of any manor, lordship, or royalty, or reputed manor, lordship, or royalty, shall be deemed to be the legal occupier of the land of the wastes or commons within such manor, lordship, or royalty, or reputed manor, lordship, or royalty.

[^{F7}(2) In relation to an offence committed before the coming into force of section 281(5) of the Criminal Justice Act 2003 (alteration of penalties for certain summary offences: England and Wales), the reference in subsection (1) to 51 weeks is to be read as a reference to 6 months.]

Textual Amendments

- F1** S. 30 renumbered as s. 30(1) (1.8.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [ss. 62\(6\)](#), [208\(1\)](#) (with s. 62(10)); S.I. 2022/520, [reg. 7](#)
- F2** Words repealed by [Statute Law Revision \(No. 2\) Act 1888 \(c. 57\)](#)
- F3** Words repealed by [Protection of Birds Act 1954 \(c. 30\)](#), [Sch. 6](#)
- F4** Words in s. 30(1) substituted (1.8.2022) by [Police, Crime, Sentencing and Courts Act 2022 \(c. 32\)](#), [ss. 62\(7\)\(a\)](#), [208\(1\)](#) (with s. 62(10)); S.I. 2022/520, [reg. 7](#)

Status: Point in time view as at 01/08/2022.

Changes to legislation: There are currently no known outstanding effects for the Game Act 1831, Section 30. (See end of Document for details)

- F5** Words repealed by Statute Law (Repeals) Act 1989 (c. 43), s. 1(1), **Sch. 1 Pt. I**
- F6** Words in s. 30(1) substituted (1.8.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 62(7)(b), 208(1)** (with s. 62(10)); S.I. 2022/520, reg. 7
- F7** S. 30(2) inserted (1.8.2022) by Police, Crime, Sentencing and Courts Act 2022 (c. 32), **ss. 62(8), 208(1)** (with s. 62(10)); S.I. 2022/520, reg. 7

Modifications etc. (not altering text)

- C1** S. 30 amended by Game Laws (Amendment) Act 1960 (c. 36), **s. 2**

Status:

Point in time view as at 01/08/2022.

Changes to legislation:

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