



# Caravan Sites Act 1968

## 1968 CHAPTER 52

### PART I

#### PROVISIONS FOR PROTECTION OF RESIDENTIAL OCCUPIERS

### 3 <sup>[F1]</sup>Protection of occupiers against eviction and harassment, false information etc.]

(1) Subject to the provisions of this section, a person shall be guilty of an offence under this section—

- (a) if, during the subsistence of a residential contract, he unlawfully deprives the occupier of his occupation on the protected site of any caravan which the occupier is entitled by the contract to station and occupy, or to occupy, as his residence thereon;
- (b) if, after the expiration or determination of a residential contract, he enforces, otherwise than by proceedings in the court, any right to exclude the occupier from the protected site or from any such caravan, or to remove or exclude any such caravan from the site;

<sup>[F2]</sup>(c) if, whether during the subsistence or after the expiration or determination of a residential contract, the person—

- (i) does anything likely to interfere with the peace or comfort of the occupier or persons residing with the occupier; or
  - (ii) persistently withdraws or withholds services or facilities reasonably required for the occupation of the caravan as a residence on the site,
- and (in either case) knows, or has reasonable cause to believe, that that conduct is likely to cause the occupier to abandon the occupation of the caravan or remove it from the site or to refrain from exercising any right or pursuing any remedy in relation to the caravan.]

<sup>[F6]</sup>(1A) <sup>[F7]</sup>Subject to the provisions of this section, the owner of a protected site or his agent shall be guilty of an offence under this section if, whether during the subsistence or after the expiration or determination of a residential contract—

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*Changes to legislation: There are currently no known outstanding effects  
for the Caravan Sites Act 1968, Section 3. (See end of Document for details)*

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- (a) he does acts likely to interfere with the peace or comfort of the occupier or persons residing with him, or
  - (b) he [<sup>F8</sup>withdraws or withholds <sup>F9</sup>...] ... services or facilities reasonably required for the occupation of the caravan as a residence on the site,
- and (in either case) he knows, or has reasonable cause to believe, that that conduct is likely to cause the occupier to do any of the things mentioned in subsection (1)(c)(i) or (ii) of this section.]
- [ The owner of a protected site <sup>F11</sup>... or the owner's agent is guilty of an offence under <sup>F10</sup>(1AA) this section if, during the subsistence of a residential contract, the owner or (as the case may be) agent—
- (a) knowingly or recklessly provides information or makes a representation which is false or misleading in a material respect to any person, and
  - (b) knows, or has reasonable cause to believe, that doing so is likely to cause—
    - (i) the occupier to do any of the things mentioned in subsection (1)(c)(i) or (ii), or
    - (ii) a person who is considering whether to purchase or occupy the caravan to which the residential contract relates to decide not to do so.]
- (1B) [<sup>F7</sup>References in [<sup>F12</sup>subsections (1A) and (1AA)] of this section to the owner of a protected site include references to a person with an estate or interest in the site which is superior to that of the owner.]]
- (2) References in this section to the occupier include references to the person who was the occupier under a residential contract which has expired or been determined and, in the case of the death of the occupier (whether during the subsistence or after the expiration or determination of the contract), to any person then residing with the occupier being—
- (a) the widow of the occupier; or
  - (b) in default of a widow so residing, any member of the occupier's family.
- (3) A person guilty of an offence under this section shall, without prejudice to any liability or remedy to which he may be subject in civil proceedings, be [<sup>F14</sup>  
]]<sup>F15</sup>liable on summary conviction—
- (a) in the case of a first offence, to a fine not exceeding the statutory maximum;
  - (b) in the case of a second or subsequent offence, to a fine not exceeding the statutory maximum or to imprisonment for a term not exceeding 6 months, or to both.]
- (4) In proceedings for an offence under paragraph (a) or (b) of subsection (1) of this section it shall be a defence to prove that the accused believed, and had reasonable cause to believe, that the occupier of the caravan had ceased to reside on the site.
- [<sup>F17</sup>(4A) In proceedings for an offence under subsection (1)(c) of this section it shall be a defence to prove that the accused had reasonable grounds for doing the acts or withdrawing or withholding the services or facilities in question.]
- (5) Nothing in this section applies to the exercise by any person of a right to take possession of a caravan of which he is the owner, other than a right conferred by or arising on the expiration or determination of a residential contract, or to anything done pursuant to the order of any court.

*Changes to legislation: There are currently no known outstanding effects for the Caravan Sites Act 1968, Section 3. (See end of Document for details)*

### Textual Amendments

- F1** S. 3 heading substituted (E.W.) (27.5.2013) by [Mobile Homes Act 2013 \(c. 14\)](#), [ss. 12\(1\)](#), 15(3)
- F2** S. 3(1)(c) substituted (S.) (28.5.2007) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), [ss. 171\(1\)\(b\)\(i\)](#), 195(3) (with [ss. 171\(2\)](#), 193); [S.S.I. 2007/270](#), art. 3
- F3** Words in s. 3(1) substituted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), [ss. 210\(2\)](#), 270(3)(a) (with s. 210(6))
- F4** Words in s. 3(1)(c) inserted (E.W.) (27.5.2013) by [Mobile Homes Act 2013 \(c. 14\)](#), [ss. 12\(2\)](#), 15(3)
- F5** Words in s. 3(1)(c) omitted (E.W.) (5.11.2013) by virtue of [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), s. 64(1), [Sch. 4 para. 2\(3\)\(a\)](#) (with [Sch. 5 para. 7](#)) (this amendment is to be treated as not having effect until 1.10.2014 by virtue of [S.I. 2014/11](#), art. 3(2))
- F6** S. 3(1A)(1B) inserted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), [ss. 210\(3\)](#), 270(3)(a) (with s. 210(6))
- F7** S. 3(1A)(1B) repealed (S.) (28.5.2007) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), [ss. 171\(1\)\(b\)\(ii\)](#), 195(3) (with [ss. 171\(2\)](#), 193); [S.S.I. 2007/270](#), art. 3
- F8** Words in s. 3(1A)(b) inserted (E.W.) (27.5.2013) by [Mobile Homes Act 2013 \(c. 14\)](#), [ss. 12\(3\)](#), 15(3)
- F9** Words in s. 3(1A)(b) omitted (E.W.) (5.11.2013) by virtue of [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), s. 64(1), [Sch. 4 para. 2\(3\)\(a\)](#) (with [Sch. 5 para. 7](#)) (this amendment is to be treated as not having effect until 1.10.2014 by virtue of [S.I. 2014/11](#), art. 3(2))
- F10** S. 3(1AA) inserted (E.W.) (27.5.2013) by [Mobile Homes Act 2013 \(c. 14\)](#), [ss. 12\(4\)](#), 15(3)
- F11** Words in s. 3(1AA) omitted (E.W.) (5.11.2013) by virtue of [Mobile Homes \(Wales\) Act 2013 \(anaw 6\)](#), s. 64(1), [Sch. 4 para. 2\(3\)\(b\)](#) (with [Sch. 5 para. 7](#)) (this amendment is to be treated as not having effect until 1.10.2014 by virtue of [S.I. 2014/11](#), art. 3(2))
- F12** Words in s. 3(1B) substituted (E.W.) (27.5.2013) by [Mobile Homes Act 2013 \(c. 14\)](#), [ss. 12\(5\)](#), 15(3)
- F13** Words in s. 3(2) substituted (E.W.) (5.12.2005) by [Civil Partnership Act 2004 \(c. 33\)](#), s. 263(2), [Sch. 8 para. 8](#); [S.I. 2005/3175](#), art. 2(1), Sch. 1
- F14** S. 3(3)(a)(b) and words substituted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), [ss. 210\(4\)](#), 270(3)(a) (with s. 210(6)(7))
- F15** Words in s. 3(3) substituted (S.) (28.5.2007) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), [ss. 171\(1\)\(b\)\(iii\)](#), 195(3) (with [ss. 171\(2\)](#), 193); [S.S.I. 2007/270](#), art. 3
- F16** Words in s. 3(3)(a) substituted (7.2.2023 at 12.00 p.m.) by [The Judicial Review and Courts Act 2022 \(Magistrates' Court Sentencing Powers\) Regulations 2023 \(S.I. 2023/149\)](#), regs. 1(2), 2(1), [Sch. Pt. 1](#)
- F17** S. 3(4A) substituted (S.) (28.5.2007) by [Housing \(Scotland\) Act 2006 \(asp 1\)](#), [ss. 171\(1\)\(b\)\(iv\)](#), 195(3) (with [ss. 171\(2\)](#), 193); [S.S.I. 2007/270](#), art. 3
- F18** S. 3(4A) inserted (18.1.2005) by [Housing Act 2004 \(c. 34\)](#), [ss. 210\(5\)](#), 270(3)(a) (with s. 210(6))

### Modifications etc. (not altering text)

- C1** S. 3(3): [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [s. 289E](#) (as inserted by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 54](#)) (in relation to liability on first and subsequent convictions) applies (S.)
- C2** S. 3(3): [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [s. 35](#) (in relation to liability on first and subsequent convictions) s. 38 (increase of fines) and s. 46 (substitution of references to levels on the standard scale) apply (E.W.)

**Changes to legislation:**

There are currently no known outstanding effects for the Caravan Sites Act 1968, Section 3.