



Anti-social Behaviour Act 2003

2003 CHAPTER 38

PART 7

PUBLIC ORDER AND TRESPASS

63 Common land: modifications

After section 62C of the Criminal Justice and Public Order Act 1994 (c. 33) (inserted by section 62) insert—

“62D Common land: modifications

- (1) In their application to common land sections 62A to 62C have effect with these modifications.
- (2) References to trespassing and trespassers have effect as if they were references to acts, and persons doing acts, which constitute—
 - (a) a trespass as against the occupier, or
 - (b) an infringement of the commoners' rights.
- (3) References to the occupier—
 - (a) in the case of land to which the public has access, include the local authority and any commoner;
 - (b) in any other case, include the commoners or any of them.
- (4) Subsection (1) does not—
 - (a) require action by more than one occupier, or
 - (b) constitute persons trespassers as against any commoner or the local authority if they are permitted to be there by the other occupier.
- (5) In this section “common land”, “commoner” and “the local authority” have the meanings given by section 61.”