



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 [^{F1}the general limit in a magistrates' court] (or 6 months, if the offence was committed before [^{F2}2 May 2022]), 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.

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 (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**
- F2** Words in s. 26(2)(a)(i) substituted (28.4.2022) by [The Criminal Justice Act 2003 \(Commencement No. 33\) and Sentencing Act 2020 \(Commencement No. 2\) Regulations 2022 \(S.I. 2022/500\)](#), regs. 1(2), 5(1), **Sch. Pt. 1**
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Commencement Information

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

Changes to legislation:

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