



# 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 12 months (or 6 months, if the offence was committed before the commencement of section 154(1) of the Criminal Justice Act 2003), 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.