



Town Gardens Protection Act 1863

1863 CHAPTER 13 26 and 27 Vict

5 Penalty for injuring garden.

[^{F1}Any person who throws any rubbish into any such garden, or trespasses therein, or gets over the railings or fence, or steals or damages the flowers or plants, or commits any nuisance therein, shall be guilty of an offence and] shall be liable [^{F2}on summary conviction] for each and every offence aforesaid to a penalty not exceeding [^{F3}level 1 on the standard scale], or to imprisonment for any period not exceeding fourteen days; and in case it shall be necessary to state in any proceedings the ownership of the property of such garden, flowers, or plants, it shall be sufficient to describe the same as the property of the committee by the name of *A.B.* and others.

Textual Amendments

- F1** Words substituted by [Police and Criminal Evidence Act 1984 \(c. 60, SIF 95\)](#), s. 119, [Sch. 6 Pt. I para. 5](#)
- F2** Words in s. 5 inserted (5.11.1993) by [1993 c. 50, s. 1\(2\)](#), [Sch. 2 Pt. I para.5](#).
- F3** Words substituted by virtue of [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), s. 46

Changes to legislation:

Town Gardens Protection Act 1863, Section 5 is up to date with all changes known to be in force on or before 11 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 5 words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)