



Military Lands Act 1892

1892 CHAPTER 43 55 and 56 Vict

PART II

BYELAWS AS TO LAND USED FOR MILITARY PURPOSES

17 Notice and enforcement of byelaws.

- (1) A Secretary of State, before making any byelaws under this Act, shall cause the proposed byelaws to be made known in the locality, and give an opportunity for objections being made to the same, and shall receive and consider all objections made; and when any such byelaws are made, shall cause the boundaries of the area to which the byelaws apply to be marked, and the byelaws to be published, in such manner as appears to him [^{F1}appropriate].
- [^{F2}(2) If any person commits an offence against any byelaw under this Act, he shall be liable, on conviction before a court of summary jurisdiction, to a fine not exceeding [^{F3}level 2 on the standard scale] and may be removed by any constable or officer authorised in manner provided by the byelaw from the area, whether land or water, to which the byelaw applies, and taken into custody without warrant, and brought before a court of summary jurisdiction to be dealt with according to law, and any vehicle, animal, vessel, or thing found in the area in contravention of any byelaw, may be removed by any constable or such officer as aforesaid, and on due proof of such contravention, be declared by a court of summary jurisdiction to be forfeited to Her Majesty.]
- (3) A byelaw under this Act shall be deemed to be a regulation within the meaning of the ^{M1}Documentary Evidence Act, 1868, and may be proved accordingly.

Textual Amendments

- F1** Word in s. 17(1) substituted (8.3.2012) by [Armed Forces Act 2011 \(c. 18\), ss. 24\(2\), 32\(3\)](#); S.I. 2012/669, art. 3(a)
- F2** S. 17(2) ceases to have effect so far as it confers a power of arrest without warrant upon (a) a constable, or (b) persons in general (as distinct from persons of any description specified in or for the purposes of the enactment) (E.W.) (1.1.2006) by virtue of [Serious Organised Crime and Police](#)

Changes to legislation: *There are currently no known outstanding effects for the Military Lands Act 1892, Section 17. (See end of Document for details)*

Act 2005 (c. 15), s. 178(8), **Sch. 7 para. 38**; S.I. 2005/3495, **art. 2(1)(m)**; and s. 17(2) ceases to have effect so far as it confers a power of arrest without warrant on a constable (N.I.) (1.3.2007) by virtue of The Police and Criminal Evidence (Amendment) (Northern Ireland) Order 2007 (S.I. 2007/288) (N.I. 2), art. 1(2), **Sch. 1 para. 8**

- F3** Words substituted: (E.W.) by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1), **Sch. 3**; and (S.) by Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **Sch. 7D** (which 1975 Act was repealed (S.) (1.4.1996) by 1995 c. 40, ss. 6, 7(2), Sch. 5 (with s. 3, Sch. 1 para. 10, **Sch. 2 Pt. III**)); and (N.I.) by virtue of The Fines and Penalties (Northern Ireland) Order 1984 (S.I. 1984/703), **arts. 5-10**

Modifications etc. (not altering text)

- C1** By 1995 c. 40, ss. 3, 7(2), Sch. 1 para. 10, **Sch. 2 Pt. III** it is provided (S.) (1.4.1996) that s. 17(2) shall have effect as if the maximum fine that may be imposed on summary conviction for the offence mentioned therein was a fine not exceeding level 2 on the standard scale

Marginal Citations

- M1** 1868 c. 37.

Changes to legislation:

There are currently no known outstanding effects for the Military Lands Act 1892, Section 17.