



Criminal Law Act 1977

1977 CHAPTER 45

PART II

OFFENCES RELATING TO ENTERING AND REMAINING ON PROPERTY

9 Trespassing on premises of foreign missions, etc.

- (1) Subject to subsection (3) below, a person who enters or is on any premises to which this section applies as a trespasser is guilty of an offence.
- (2) This section applies to any premises which are or form part of—
 - (a) the premises of a diplomatic mission within the meaning of the definition in Article 1(i) of the Vienna Convention on Diplomatic Relations signed in 1961 as that Article has effect in the United Kingdom by virtue of section 2 of and Schedule 1 to the ^{M1}Diplomatic Privileges Act 1964;
 - [^{F1}(aa) the premises of a closed diplomatic mission;]
 - (b) consular premises within the meaning of the definition in paragraph 1(j) of Article 1 of the Vienna Convention on Consular Relations signed in 1963 as that Article has effect in the United Kingdom by virtue of section 1 of and Schedule 1 to the ^{M2}Consular Relations Act 1968;
 - [^{F2}(bb) the premises of a closed consular post;]
 - (c) any other premises in respect of which any organisation or body is entitled to inviolability by or under any enactment; and
 - (d) any premises which are the private residence of a diplomatic agent (within the meaning of Article 1(e) of the Convention mentioned in paragraph (a) above) or of any other person who is entitled to inviolability of residence by or under any enactment.

[^{F3}(2A) In subsection (2) above—

“the premises of a closed diplomatic mission” means premises which fall within Article 45 of the Convention mentioned in subsection (2)(a) above (as that Article has effect in the United Kingdom by virtue of the section and Schedule mentioned in that paragraph); and

Changes to legislation: Criminal Law Act 1977, Section 9 is up to date with all changes known to be in force on or before 31 May 2024. 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. (See end of Document for details) View outstanding changes

“the premises of a closed consular post” means premises which fall within Article 27 of the Convention mentioned in subsection (2)(b) above (as that Article has effect in the United Kingdom by virtue of the section and Schedule mentioned in that paragraph);]

- (3) In any proceedings for an offence under this section it shall be a defence for the accused to prove that he believed that the premises in question were not premises to which this section applies.
- (4) In any proceedings for an offence under this section a certificate issued by or under the authority of the Secretary of State stating that any premises were or formed part of premises of any description mentioned in paragraphs (a) to (d) of subsection (2) above at the time of the alleged offence shall be conclusive evidence that the premises were or formed part of premises of that description at that time.
- (5) A person guilty of an offence under this section shall be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding [^{F4}level 5 on the standard scale] or to both.
- (6) Proceedings for an offence under this section shall not be instituted against any person except by or with the consent of the Attorney General.

^{F5}(7)

Textual Amendments	
F1	S. 9(2)(aa) inserted by Diplomatic and Consular Premises Act 1987 (c. 46, SIF 68:1) , s. 7(1)(a)
F2	S. 9(2)(bb) inserted by Diplomatic and Consular Premises Act 1987 (c. 46, SIF 68:1) , s. 7(1)(b)
F3	S. 9(2A) inserted by Diplomatic and Consular Premises Act 1987 (c. 46, SIF 68:1) , s. 7(2)
F4	Words substituted by virtue of Criminal Justice Act 1982 (c. 48, SIF 39:1) , s. 46
F5	S. 9(7) repealed (1.1.2006) by Serious Organised Crime and Police Act 2005 (c. 15) , s. 178(8), Sch. 7 para. 19(5), Sch. 17 Pt. 2 ; S.I. 2005/3495, art. 2(1)(m)(u)
Marginal Citations	
M1	1964 c. 81.
M2	1968 c. 18.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 38A(5)(ia) by [2000 c. 43 Sch. 7 para. 55](#)
- s. 38B(5)(a) by [2000 c. 43 Sch. 7 para. 56](#)