



# Protection of Freedoms Act 2012

## 2012 CHAPTER 9

### PART 3

#### PROTECTION OF PROPERTY FROM DISPROPORTIONATE ENFORCEMENT ACTION

### CHAPTER 2

#### VEHICLES LEFT ON LAND

#### *Offence of immobilising etc. vehicles*

#### **54 Offence of immobilising etc. vehicles**

- (1) A person commits an offence who, without lawful authority—
  - (a) immobilises a motor vehicle by the attachment to the vehicle, or a part of it, of an immobilising device, or
  - (b) moves, or restricts the movement of, such a vehicle by any means, intending to prevent or inhibit the removal of the vehicle by a person otherwise entitled to remove it.
- (2) The express or implied consent (whether or not legally binding) of a person otherwise entitled to remove the vehicle to the immobilisation, movement or restriction concerned is not lawful authority for the purposes of subsection (1).
- (3) But, where the restriction of the movement of the vehicle is by means of a fixed barrier and the barrier was present (whether or not lowered into place or otherwise restricting movement) when the vehicle was parked, any express or implied consent (whether or not legally binding) of the driver of the vehicle to the restriction is, for the purposes of subsection (1), lawful authority for the restriction.
- (4) A person who is entitled to remove a vehicle cannot commit an offence under this section in relation to that vehicle.

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**Changes to legislation:** *Protection of Freedoms Act 2012, CHAPTER 2 is up to date with all changes known to be in force on or before 28 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*

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- (5) A person guilty of an offence under this section is liable—
- (a) on conviction on indictment, to a fine,
  - (b) on summary conviction, to a fine not exceeding the statutory maximum.
- (6) In this section “motor vehicle” means a mechanically propelled vehicle or a vehicle designed or adapted for towing by a mechanically propelled vehicle.

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**Commencement Information**

**II** S. 54 in force at 1.10.2012 by [S.I. 2012/2075](#), [art. 3\(a\)](#)

*Alternative remedies in relation to vehicles left on land*

**55 Extension of powers to remove vehicles from land**

- (1) Section 99 of the Road Traffic Regulation Act 1984 (removal of vehicles illegally, obstructively or dangerously parked, or abandoned or broken down) is amended as follows.
- (2) In subsection (1)—
- (a) in paragraph (a), after “road” insert “ or other land ”,
  - (b) in paragraph (b)—
    - (i) after “road”, where it appears for the first time, insert “ or other land ”, and
    - (ii) after “road”, where it appears for the second time, insert “ or land concerned ”,
  - (c) in paragraph (c) for “, or on any land in the open air,” substitute “ or other land ”, and
  - (d) at the end insert “ or other land ”.
- (3) In subsection (2)—
- (a) in paragraph (a), after “road”, where it appears for the third time, insert “ or on land other than a road ”, and
  - (b) after paragraph (a), insert—
    - “(aa) may provide, in the case of a vehicle which may be removed from land other than a road, for the moving of the vehicle from one position on such land to another position on such land or on any road;”.

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**Commencement Information**

**I2** S. 55 in force at 1.10.2012 by [S.I. 2012/2075](#), [art. 3\(b\)](#)

**56 Recovery of unpaid parking charges**

Schedule 4 (which makes provision for the recovery of unpaid parking charges from the keeper or hirer of a vehicle in certain circumstances) has effect.

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#### Commencement Information

- I3** S. 56 in force at 1.10.2012 for W. by [S.I. 2012/2499](#), [art. 2\(1\)\(2\)\(a\)](#)
- I4** S. 56 in force at 1.10.2012 for E. by [S.I. 2012/2075](#), [art. 3\(c\)](#)

**Changes to legislation:**

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**Changes and effects yet to be applied to :**

- specified provision(s) amendment to earlier commencing SI 2012/2234 art. 13 by [S.I. 2014/831 art. 2\(2\)](#)
- specified provision(s) transitional provisions and savings for commencing S.I. 2013/1814 by [S.I. 2013/1813 art. 2-9](#)

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

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

- Sch. 1 para. 7A inserted by [2019 c. 3 Sch. 2 para. 20](#)