



# Criminal Justice and Public Order Act 1994

## 1994 CHAPTER 33

### PART V

#### PUBLIC ORDER: [F1UNAUTHORISED ENCAMPMENTS AND] COLLECTIVE TRESPASS OR NUISANCE ON LAND

##### *Powers in relation to raves*

#### **64 Supplementary powers of entry and seizure.**

- (1) If a police officer of at least the rank of superintendent reasonably believes that circumstances exist in relation to any land which would justify the giving of a direction under section 63 in relation to a gathering to which that section applies he may authorise any constable to enter the land for any of the purposes specified in subsection (2) below.
- (2) Those purposes are—
  - (a) to ascertain whether such circumstances exist; and
  - (b) to exercise any power conferred on a constable by section 63 or subsection (4) below.
- (3) A constable who is so authorised to enter land for any purpose may enter the land without a warrant.
- (4) If a direction has been given under section 63 and a constable reasonably suspects that any person to whom the direction applies has, without reasonable excuse—
  - (a) failed to remove any vehicle or sound equipment on the land which appears to the constable to belong to him or to be in his possession or under his control; or
  - (b) entered the land as a trespasser with a vehicle or sound equipment within the period of 7 days beginning with the day on which the direction was given,the constable may seize and remove that vehicle or sound equipment.

**Changes to legislation:** Criminal Justice and Public Order Act 1994, Section 64 is up to date with all changes known to be in force on or before 06 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. (See end of Document for details) View outstanding changes

- (5) Subsection (4) above does not authorise the seizure of any vehicle or sound equipment of an exempt person.
- [<sup>F1</sup>(5A) Entering land in Scotland with sound equipment in the circumstances mentioned in subsection (4)(b) above is not an exercise of access rights within the meaning of the Land Reform (Scotland) Act 2003 (asp 2).]
- (6) In this section—
- “exempt person” has the same meaning as in section 63;
  - “sound equipment” means equipment designed or adapted for amplifying music and any equipment suitable for use in connection with such equipment, and “music” has the same meaning as in section 63; and
  - “vehicle” has the same meaning as in section 61.

#### Textual Amendments

- F1** S. 64(5A) inserted (S.) (9.2.2005) by Land Reform (Scotland) Act 2003 (asp 2), ss. 99, 100(3)(4), **Sch. 2 para. 12** (with s. 100(2)); S.I. 2005/17, **art. 2(a)**

#### Commencement Information

- I1** S. 64 partly in force at 3.2.1995; s. 64 not in force at Royal Assent see s. 172; s. 64(1)-(3) in force for specified purposes at 3.2.1995 by S.I. 1995/127, art. 2(1), **Sch. 1**; s. 64(4)-(6) in force at 10.4.1995 by S.I. 1995/721, art. 2, **Sch.**

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**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):

- s. 51(10)(a)(ia) inserted by [2003 c. 44 Sch. 36 para. 11\(3\)](#)