



Night Poaching Act 1828

1828 CHAPTER 69 9 Geo 4

^[F12] **Owners or occupiers of land, lords of manors, or their servants, may apprehend offenders. Offenders assaulting or offering violence deemed guilty of misdemeanor, and be liable to be transported for seven years, or imprisoned for two years.**

^{F2} ... Where any person shall be found upon any land committing any such offence as is herein-before mentioned, it shall be lawful for the owner or occupier of such land ^{F3} ... , or for the lord of the manor or reputed manor wherein such land may be situate, and also for any gamekeeper or servant of any of the persons herein mentioned, or any person assisting such gamekeeper or servant, to seize and apprehend such offender upon such land, or in case of pursuit being made, in any other place to which he may have escaped therefrom, and to deliver him, as soon as may be, into the custody of a peace officer, in order to his being conveyed before two justices of the peace; and in case such offender shall assault or offer any violence with any gun, crossbow, fire arms, bludgeon, stick, club, or any other offensive weapon whatsoever, towards any person hereby authorized to seize and apprehend him, he shall, [^{F4}be liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding [^{F5}level 4 on the standard scale], or to both.]]

Textual Amendments

- F1** Act repealed (N.I.) by [Game Law Amendment Act \(Northern Ireland\) 1951 \(c. 4 \(N.I.\)\)](#), [Sch.](#); and Act repealed (29.6.2011) (S.) by the [Wildlife and Natural Environment \(Scotland\) Act 2011 \(asp 6\)](#), s. 43(1), [Sch. Pt. 2](#); S.S.I. 2011/279, [art. 2\(1\)\(I\)\(ii\)](#) (as substituted by S.S.I. 2011/287, [art. 2](#))
- F2** Words repealed by [Statute Law Revision \(No. 2\) Act 1888 \(c. 57\)](#)
- F3** Words repealed by [Wild Creatures and Forest Laws Act 1971 \(c. 47\)](#), [Sch.](#)
- F4** Words substituted by [Criminal Law Act 1977 \(c. 45\)](#), [Sch. 12 para. 1](#)
- F5** Words substituted (E.W.) by [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), [ss. 37, 46](#) and (S.) by [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), [s. 289G](#)

Changes to legislation:

There are currently no known outstanding effects for the Night Poaching Act 1828, Section 2.