



Vagrancy Act 1935

1935 CHAPTER 20 25 and 26 Geo 5

1 Amendment of 5 Geo. 4. c. 83 s. 4.

(1) So much of section four of the Vagrancy Act 1824, as enacts that a person wandering abroad and lodging in any barn or outhouse, or in any deserted or unoccupied building, or in the open air, or under a tent, or in any cart or waggon, not having any visible means of subsistence, and not giving a good account of himself, shall be deemed a rogue and vagabond within the meaning of that Act, shall have effect subject to the following provisions of this section.

(2) F1

(3) A person wandering abroad and lodging as aforesaid shall not be deemed by virtue of the said enactment a rogue and vagabond within the meaning of the said Act unless it is proved either—

- (a) that, in relation to the occasion on which he lodged as aforesaid, he had been directed to a reasonably accessible place of shelter and failed to apply for, or refused, accommodation there;
- (b) that he is a person who persistently wanders abroad and, notwithstanding that a place of shelter is reasonably accessible, lodges or attempts to lodge as aforesaid; or
- (c) that by, or in the course of, lodging as aforesaid he caused damage to property, infection with vermin, or other offensive consequence, or that he lodged as aforesaid in such circumstances as to appear to be likely so to do.

In this subsection the expression “a place of shelter” means a place where provision is regularly made for giving (free of charge) accommodation for the night to such persons as apply therefor.

(4) The reference in the said enactment to a person lodging under a tent or in a cart or waggon shall not be deemed to include a person lodging under a tent or in a cart or waggon with or in which he travels.

Changes to legislation: Vagrancy Act 1935, Section 1 is up to date with all changes known to be in force on or before 05 December 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](#)

Textual Amendments

F1 [S. 1\(2\)](#) repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

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

- Act repealed by [2022 c. 32 s. 81\(3\)\(a\)](#)