



Theft Act 1968

1968 CHAPTER 60

Theft, robbery, burglary, etc.

9 Burglary.

- (1) A person is guilty of burglary if—
 - (a) he enters any building or part of a building as a trespasser and with intent to commit any such offence as is mentioned in subsection (2) below; or
 - (b) having entered any building or part of a building as a trespasser he steals or attempts to steal anything in the building or that part of it or inflicts or attempts to inflict on any person therein any grievous bodily harm.
- (2) The offences referred to in subsection (1)(a) above are offences of stealing anything in the building or part of a building in question, of inflicting on any person therein any grievous bodily harm^{F1}... therein, and of doing unlawful damage to the building or anything therein.
- [^{F2}(3) A person guilty of burglary shall on conviction on indictment be liable to imprisonment for a term not exceeding—
 - (a) where the offence was committed in respect of a building or part of a building which is a dwelling, fourteen years;
 - (b) in any other case, ten years.
- (4) References in subsections (1) and (2) above to a building, and the reference in subsection (3) above to a building which is a dwelling, shall apply also to an inhabited vehicle or vessel, and shall apply to any such vehicle or vessel at times when the person having a habitation in it is not there as well as at times when he is.]

Textual Amendments

- F1** Words in s. 9(2) repealed (1.5.2004) by [Sexual Offences Act 2003 \(c. 42\)](#), ss. 139, 140, 141, Sch. 6 para. 17, {Sch. 7}; [S.I. 2004/874](#), art. 2
- F2** [S. 9\(3\)\(4\)](#) substituted (1.10.1992) by [Criminal Justice Act 1991 \(c. 53, SIF 39:1\)](#), s. 26(2); [S.I. 1992/333](#), art. 2(2), [Sch. 2](#)

Status:

Point in time view as at 01/05/2004.

Changes to legislation:

There are currently no known outstanding effects for the Theft Act 1968, Section 9.