



# Sexual Offences Act 2003

## 2003 CHAPTER 42

### [<sup>F1</sup>PART 2A

#### CLOSURE ORDERS

#### [<sup>F1</sup>Enforcement

#### Textual Amendments

- F1** Pt. 2A inserted (E.W.N.I.) (1.4.2010 for E.W. and otherwise prosp.) by [Policing and Crime Act 2009](#) (c. 26), ss. 21(1), 116(1), [Sch. 2 para. 1](#) (with s. 21(2)); S.I. 2010/507, [art. 5\(t\)](#) (subject to art. 6)

#### 136F Closure order: enforcement

- (1) This section applies if a closure order is made.
- (2) A constable or an authorised person may—
  - (a) enter the premises in respect of which the order is made;
  - (b) do anything reasonably necessary to secure the premises against entry by any person.
- (3) A constable or an authorised person seeking to enter premises for the purposes of subsection (2) must, if required to do so by or on behalf of the owner, occupier or other person in charge of the premises, produce evidence of the constable's or (as the case may be) the authorised person's identity and authority before entering the premises.
- (4) A constable or an authorised person may also enter the premises at any time while the order has effect for the purpose of carrying out essential maintenance of, or repairs to, the premises.
- (5) A constable or an authorised person acting under subsection (2) or (4) may use reasonable force.
- (6) In this section “authorised person”—

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*Changes to legislation: Sexual Offences Act 2003, Cross Heading: Enforcement is up to date with all changes known to be in force on or before 22 April 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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- (a) in the application of this section to England and Wales, means a person authorised by the chief officer of police for the area in which the premises are situated;
- (b) in the application of this section to Northern Ireland, means a person authorised by the Chief Constable of the Police Service of Northern Ireland.

### **136G Closure of premises: offences**

- (1) A person who remains on or enters premises in contravention of a closure notice commits an offence.
- (2) A person who remains on or enters premises in contravention of a closure order commits an offence.
- (3) A person does not commit an offence under subsection (1) or (2) if the person has a reasonable excuse for remaining on or entering the premises.
- (4) A person who obstructs a constable or an authorised person acting under section 136C(3) or (4) or 136F(2) or (4) commits an offence.
- (5) A person guilty of an offence under this section is liable on summary conviction—
  - (a) to imprisonment for a period not exceeding 51 weeks, or
  - (b) to a fine not exceeding level 5 on the standard scale, or to both.
- (6) In relation to an offence committed before the commencement of section 281(5) of the Criminal Justice Act 2003, the reference in subsection
- (7) In the application of this section to Northern Ireland—
  - (a) the reference in subsection (5)(a) to 51 weeks is to be read as a reference to 6 months, and
  - (b) subsection (6) is omitted.
- (8) In this section “authorised person” has the same meaning as in section 136F.]

**Changes to legislation:**

Sexual Offences Act 2003, Cross Heading: Enforcement is up to date with all changes known to be in force on or before 22 April 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.

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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. 60B(5)(i) substituted for s. 60B(5)(i)(ii) by [2015 c. 9 \(N.I.\) Sch. 1 para. 123\(1\)Sch. 9 Pt. 1](#) (This amendment not applied to legislation.gov.uk. S. 60B already repealed (N.I.) (14.1.2015) by [2015 c. 2 \(N.I.\)](#), s. 28(2), Sch. 5; and omitted (E.W.) (31.7.2015) by virtue of [2015 c. 30](#), Sch. 5 para. 5(2); S.I. 2015/1476, reg. 2(j))
- s. 103C(4B) inserted by [2022 c. 32 s. 178\(7\)\(b\)](#)
- s. 103E(5C)(5D) inserted by [2022 c. 32 s. 178\(8\)](#)
- s. 103F(3B) inserted by [2022 c. 32 s. 178\(9\)\(a\)](#)
- s. 103FA103FB inserted by [2022 c. 32 s. 178\(10\)](#)
- s. 108(9) inserted by [2011 c. 18 s. 17\(2\)](#)
- s. 122A(8A) inserted by [2022 c. 32 s. 178\(11\)\(a\)](#)
- s. 122A(9B) inserted by [2022 c. 32 s. 178\(11\)\(b\)](#)
- s. 122D(4C)(4D) inserted by [2022 c. 32 s. 178\(12\)](#)
- s. 122E(3B) inserted by [2022 c. 32 s. 178\(13\)\(a\)](#)
- s. 122EA122EB inserted by [2022 c. 32 s. 178\(14\)](#)
- s. 136ZA(3) inserted by [2022 c. 32 s. 178\(15\)](#)