



# Clean Neighbourhoods and Environment Act 2005

## 2005 CHAPTER 16

### PART 4

#### GRAFFITI AND OTHER DEFACEMENT

##### *Advertisements*

### **33 Unlawful display of advertisements: defences**

- (1) Section 224 of the Town and Country Planning Act 1990 (c. 8) (enforcement of control as to advertisements) is amended as follows.
- (2) In subsection (5) (person not guilty of offence of displaying advertisement in contravention of regulations if he proves it was displayed without his knowledge or consent), for “that it was displayed without his knowledge or consent” substitute “either of the matters specified in subsection (6)”.
- (3) After that subsection insert—
  - “(6) The matters are that—
    - (a) the advertisement was displayed without his knowledge; or
    - (b) he took all reasonable steps to prevent the display or, after the advertisement had been displayed, to secure its removal.”
- (4) This section does not have effect in relation to an offence committed, or alleged to have been committed, before the commencement of this section.

**Changes to legislation:**

Clean Neighbourhoods and Environment Act 2005, Section 33 is up to date with all changes known to be in force on or before 12 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.

[View outstanding changes](#)

**Commencement Orders yet to be applied to the Clean Neighbourhoods and Environment Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2007/120 art. 3](#) Amendment to earlier commencing S.I. 2006/2797