

(8) A constable in uniform who reasonably suspects that a person is committing an offence under this section may arrest him without a warrant.

(9) This section does not apply—

[

(a) in England and Wales, to a gathering in relation to a licensable activity within [section 1\(1\)\(c\)](#) of the [Licensing Act 2003](#) (provision of certain forms of entertainment) carried on under and in accordance with an authorisation within the meaning of [section 136](#) of that Act;

]

2

(b) in Scotland, to a gathering in premises which, by virtue of [section 41](#) of the [Civic Government \(Scotland\) Act 1982](#), are licensed to be used as a place of public entertainment.

(10) In this section—

[...]

3

“exempt person”, in relation to land (or any gathering on land), means the occupier, any member of his family and any employee or agent of his and any person whose home is situated on the land;

“land in the open air” includes a place partly open to the air;

[...]

3

“occupier”

, *“trespasser”*

and *“vehicle”* have the same meaning as in [section 61](#).

[...]

4

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Notes

1. Words repealed by Anti-social Behaviour Act 2003 c. 38 [Sch.3 para.1](#) (January 20, 2004 as SI 2003/3300)

2.