

Trespass notices

You might want someone to leave your home or place of work for a number of reasons. They may be committing offences on your property, such as shoplifting, being disorderly or simply have no right to be there. You are not actually required to give a 'good' reason of why you are trespassing someone.

Any occupier of an address can trespass anyone from their property. Anyone can be trespassed from any property. Police can trespass someone on your behalf, if it is unsafe for you to do so. This will obviously be prioritised. You are also able to use reasonable force to remove someone from your property.

There is no legal requirement to give a trespass notice in writing. However, a written document reinforces the situation for the person given the trespass notice; they cannot say they did not know of the notice and requirement to leave and not return.

Verbal trespass

If you deliver a trespass notice verbally, it is advisable to record the date and time along with the reason for giving a trespass notice to that person. Also record the name or description of the person asked to leave.

Written trespass

If you undertake a written trespass, complete three copies of the Trespass Notice:

- one copy to the person you are serving the trespass notice on
- one copy for you to keep
- one copy to give to the nearest police station or attending police officer, for entering into the Police records database

To serve a notice you simply hand it to the person. If they refuse to accept it and it drops on the ground, it is still considered served. Keep that copy and note down that the person refused to accept the notice.

You are required to give a reasonable time for the trespasser to leave. If the person stays or takes an unreasonable time to comply, call 111 and ask for Police. If someone comes back after you have given them a trespass notice they will have committed an offence. Call 111 and ask for Police.

Here is a sample trespass notice form which you can use:

<https://www.police.govt.nz/sites/default/files/publications/trespass-notice-form.pdf>

Visit the Legislation New Zealand website to read the Trespass Act 1980 -

<http://www.legislation.govt.nz/act/public/1980/0065/latest/DLM36927.html>

If anyone who is an occupier at the same address invites the trespassed person back, the trespass becomes null and void. Please inform other Occupants to avoid this from happening.

You can cancel a trespass notice at any time. Just ensure you let Police know. You will need to provide identification and further details for us to remove the trespass at our end..