Differences between a direction to leave and warning to stay off

The following table sets out the differences between a direction to leave and a warning to stay off.

Read more about changes to the Trespass Act[[1]](#footnote-1).

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|  | Direction to leave | Warning to staff off |
| What is it? | A tool that allows you to:   * require a person to leave the place and * ban them from returning for up to 7 days. | A tool that allows you to:   * keep a person who is trespassing or has trespassed on your place off and * ban them from returning for up to 12 months. |
| Length of ban | Up to 7 days  A default 72 hour ban applies if no period is specified when given the direction. | Up to 12 months  A default 3 month ban applies if no period is specified when giving the warning. |
| What is required before a direction or warning can be given | The person must be on or in your place. | Trespass is required.  The person:   * must be trespassing or has trespassed in, on or at your place or * you have reasonable grounds to suspect that the person is likely to trespass in, on or at your place. |
| How a direction or warning be given | Verbally or in writing. | Verbally or in writing. |
| Who can give direction or warning? | An occupier or a police officer acting at the request of an occupier. | An occupier or a police officer acting at the request of an occupier. |
| Offences | It is an offence to:  fail to leave the place as soon as reasonably practicable after being given a direction or  return to and enter the place within the ban period. | It is an offence to enter the place within the ban period. |
| Maximum penalty for contravening a direction or warning | A fine of up to $3,240. | A fine of up to $3,240. |

1. https://nt.gov.au/law/crime/changes-to-the-trespass-act [↑](#footnote-ref-1)