
STATUTORY INSTRUMENTS

1998 No. 1833

The Working Time Regulations 1998

PART IV

MISCELLANEOUS

Offences

29.—(1) An employer who fails to comply with any of the relevant requirements shall be guilty of an offence.

(2) The following provisions of section 33(1) of the 1974 Act shall apply where an inspector is exercising or has exercised any power conferred by a provision specified in regulation 28(5)—

- (a) paragraph (e), in so far as it refers to section 20;
- (b) paragraphs (f) and (g);
- (c) paragraph (h), in so far as it refers to an inspector;
- (d) paragraph (j) in so far as it refers to section 28; and
- (e) paragraph (k).

(3) An employer guilty of an offence under paragraph (1) shall be liable—

- (a) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) on conviction on indictment, to a fine.

(4) A person guilty of an offence under a provision of section 33(1) of the 1974 Act as applied by paragraph (2) shall be liable to the penalty prescribed in relation to that provision by subsection (2), (2A) or (3) of section 33(1), as the case may be.

(5) Sections 36(1), 37 to 39 and 42(1) to (3) of the 1974 Act shall apply in relation to the offences provided for in paragraphs (1) and (2) as they apply in relation to offences under the relevant statutory provisions.