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STATUTORY INSTRUMENTS

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**1997 No. 2778**

**The Waste and Contaminated Land  
(Northern Ireland) Order 1997**

**PART IV  
GENERAL**

*Supervision and enforcement*

**Offences**

**74.**—(1) It is an offence for a person intentionally to obstruct an authorised person in the exercise or performance of his powers or duties.

(2) It is an offence for a person, without reasonable excuse,—

- (a) to fail to comply with any requirement imposed under Article 72;
- (b) to fail or refuse to provide facilities or assistance or any information or to permit any inspection reasonably required by an authorised person in the discharge of his functions under that Article; or
- (c) to prevent any other person from appearing before an authorised person, or answering any question to which an authorised person may require an answer under that Article.

(3) It is an offence for a person falsely to pretend to be an authorised person.

(4) A person guilty of an offence under paragraph (1) shall be liable—

- (a) in the case of an offence of obstructing an authorised person in the exercise of his powers under Article 73—
  - (i) on conviction on indictment, to imprisonment for a term not exceeding 2 years, or to a fine or to both;
  - (ii) on summary conviction, to a fine not exceeding the statutory maximum;
- (b) in any other case, on summary conviction, to a fine not exceeding level 5 on the standard scale.

(5) A person guilty of an offence under paragraph (2) or (3) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(6) In this Article—

“authorised person” has the same meaning as in Article 72;

“powers or duties” includes powers or duties exercisable by virtue of a warrant under Schedule 4.