
STATUTORY RULES OF NORTHERN IRELAND

2004 No. 126

Plant Protection Products Regulations (Northern Ireland) 2004

Penalties

22.—(1) A person guilty of an offence under regulation 3(6), 5(7), 7(8), 8(3), 9(7), 10(4), 11(7), 18(2), 19(2), 20(3) or 21(1) or (2) shall be liable –

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

(2) A person guilty of an offence under regulation 14(2), 16(5) or (6) or 21(3) shall be liable on summary conviction to a fine of an amount not exceeding level 5 on the standard scale.

(3) Where an offence under these Regulations which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate shall be guilty of that offence and be liable to be proceeded against and punished accordingly.

(4) Where the affairs of a body corporate are managed by its members, paragraph (3) shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.

(5) Proceedings for any offence under these Regulations may be taken, and the offence may for the purposes of the jurisdiction of the court to try the offences be treated as having been committed, in any place in Northern Ireland.

(6) It shall be a defence in proceedings for an offence under section 22(2)(b) of the Welfare of Animals Act (Northern Ireland) 1972⁽¹⁾ (which restricts the placing on land of poison and poisonous substances) for the person charged to show that he acted in accordance with an approval granted under these Regulations and, where appropriate, an extension of use granted under regulation 10.