
STATUTORY RULES OF NORTHERN IRELAND

2011 No. 236

**The Plastic Kitchenware (Conditions on Imports
from China) Regulations (Northern Ireland) 2011**

Application of various Articles of the Food Safety (Northern Ireland) Order 1991

11.—(1) The following provisions of the Order apply for the purposes of these Regulations with the modification that any reference in those provisions to the Order or Part of it is to be construed as a reference to these Regulations —

- (a) Article 19 (offences due to fault of another person);
- (b) Article 20 (defence of due diligence) with the modification that —
 - (i) paragraphs (2) to (4) shall apply in relation to an offence of contravening regulation 3 as they apply in relation to an offence under Article 13 or 14, and
 - (ii) in paragraph (4) the references to “sale” are deemed to include references to “placing on the market”;
- (c) Article 30(8) (which relates to documentary evidence);
- (d) Article 36(1) (punishment of offences), in so far as it relates to offences under Article 34(1) as applied by paragraph (3)(a);
- (e) Article 36(2) and (3), in so far as it relates to offences under Article 34(2) as applied by paragraph (3)(b).

(2) In the application of Article 33 of the Order (powers of entry) for the purposes of these Regulations, the references in paragraph (1) to the Order are to be construed as including references to the Commission Regulation.

(3) The following provisions of the Order apply for the purposes of these Regulations with the modification that any reference in those provisions to the Order is to be construed as including a reference to the Commission Regulation and these Regulations —

- (a) Article 34(1) (obstruction etc. of officers);
- (b) Article 34(2), with the modification that the reference to “any such requirement as is mentioned in paragraph (1)(b)” is deemed to be a reference to any such requirement as is mentioned in that subsection as applied by sub-paragraph (a).

(4) Article 35 of the Order (time limit for prosecutions) applies to offences under regulation 4 as it applies to offences punishable under Article 36(2) of the Order.