



International Carriage of Perishable Foodstuffs Act 1976

1976 CHAPTER 58

Offences

7 Offences as to use of transport equipment

- (1) If any person without reasonable excuse uses or causes or permits to be used transport equipment for the international carriage of perishable foodstuffs, being equipment required to comply with regulations under this Act—
 - (a) without there being in force a certificate of compliance for that equipment,
 - (b) without exhibiting the designated mark for that equipment, or
 - (c) in contravention of any regulations made under this Act,he shall be guilty of an offence.
- (2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding £100.
- (3) In any proceedings for an offence under this section, it shall be a defence for the person charged to prove that—
 - (a) he is the carrier for hire or reward of the perishable foodstuffs to which the charge relates ; and
 - (b) it is a term of the contract for the carriage that he does not undertake to comply or to secure compliance with the requirements of the regulation to which the charge relates.

8 Affixing, etc. of designated marks

- (1) Any person who, without reasonable excuse—
 - (a) affixes or causes or permits to be affixed a designated mark, or
 - (b) permits a designated mark to remain affixed,

to transport equipment at a time when there is not in force a certificate of compliance for the equipment, shall be guilty of an offence and on summary conviction liable to a fine not exceeding £100.

- (2) Any person who—
- (a) with intent to deceive applies to transport equipment a mark so nearly resembling a designated mark as to be calculated to deceive, or
 - (b) fails without reasonable excuse to comply with the direction of an examiner to remove a mark so calculated to deceive,
- shall be guilty of an offence and on summary conviction liable to a fine not exceeding £100.

9 Forgery of certificates of compliance

- (1) Any person who, with intent to deceive—
- (a) forges, or alters, or uses or lends to, or allows to be used by, any other person, a certificate of compliance, or
 - (b) makes or has in his possession any document so closely resembling a certificate of compliance as to be calculated to deceive,
- shall be guilty of an offence and shall be liable—
- (i) on conviction on indictment to a fine or to imprisonment for a term not exceeding 2 years or to both ;
 - (ii) on summary conviction, to a fine not exceeding £200.
- (2) In the application of this section to England, Wales and Northern Ireland " forges " means forges within the meaning of the Forgery Act 1913.

10 False statements and withholding material information

- (1) Any person who knowingly makes a false statement for the purpose of obtaining the issue of a certificate of compliance under this Act to himself or any other person shall be guilty of an offence.
- (2) Any person who, in supplying information or producing documents for the purposes of regulations made under this Act, makes a statement which he knows to be false in a material particular or recklessly makes a statement which is false in a material particular, or produces, furnishes, sends or otherwise makes use of a document which he knows to be false in a material particular or recklessly produces, furnishes, sends or otherwise makes use of a document which is false in a material particular shall be guilty of an offence.
- (3) A person guilty of an offence under subsection (1) or (2) above shall be liable on summary conviction to a fine not exceeding £200.