
Changes to legislation: Motor Cycle Noise Act 1987, SCHEDULE is up to date with all changes known to be in force on or before 07 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE

Section 1(7).

OFFENCES AND ENFORCEMENT

Offences

- 1 (1) Any person who contravenes section 1 of this Act shall be guilty of an offence and liable on summary conviction to imprisonment for a term not exceeding three months or to a fine not exceeding the fifth level on the standard scale.
- (2) Where the commission by any person of such an offence is due to the act or default of some other person the other person shall be guilty of the offence and may be charged with and convicted of the offence whether or not proceedings are taken against the first-mentioned person.
- (3) It shall be a defence to a charge of committing an offence under this paragraph that the accused took all reasonable steps and exercised all due diligence to avoid committing the offence.
- 2 (1) Where an offence under paragraph 1 above 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 shall be liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a body corporate are managed by its members sub-paragraph (1) above 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.

Enforcement

- [^{F1}3 Part IV of the Consumer Protection Act 1987 (enforcement), except section 31 (power of customs officers to detain goods), shall have effect as if the provisions of this Act were safety provisions within the meaning of that Act; and in Part V of that Act (miscellaneous and supplemental), except in section 49 (Northern Ireland), references to provisions of the said Part IV shall include references to those provisions as applied by this paragraph.]

Textual Amendments

- F1** Sch. para. 3 substituted for paras. 3–5 by [Consumer Protection Act 1987 \(c. 43, SIF 109:1\)](#), s. 48, [Sch. 4 para. 13](#)

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Changes and effects yet to be applied to :

- Sch. para. 1(1) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)