



Ivory Act 2018

2018 CHAPTER 30

Criminal and civil sanctions

12 Offence of breaching the prohibition or causing or facilitating a breach

- (1) It is an offence—
 - (a) to breach the prohibition,
 - (b) to cause the prohibition to be breached, or
 - (c) to facilitate a breach of the prohibition.
- (2) A person commits an offence under this section in relation to an item only if the person knows or suspects, or ought to know or suspect, that the item is ivory, is made of ivory or (as the case may be) has ivory in it.
- (3) It is a defence for a person charged with an offence under this section to prove that the person took all reasonable precautions and exercised all due diligence to avoid committing the offence.
- (4) A person who commits an offence under this section is liable—
 - (a) on summary conviction in England and Wales, to imprisonment for a term not exceeding 12 months or a fine (or both);
 - (b) on summary conviction in Scotland, to imprisonment for a term not exceeding 12 months or a fine not exceeding the statutory maximum (or both);
 - (c) on summary conviction in Northern Ireland, to imprisonment for a term not exceeding six months or a fine not exceeding the statutory maximum (or both);
 - (d) on conviction on indictment, to imprisonment for a term not exceeding five years or a fine (or both).
- (5) In relation to an offence committed before section 154(1) of the Criminal Justice Act 2003 comes into force, the reference in subsection (4)(a) to 12 months is to be read as a reference to six months.

13 Civil sanctions

Schedule 1 (civil sanctions) has effect.