

SCHEDULE

PART IV OF THE PRINCIPAL REGULATIONS AS AMENDED

PART IV

ENFORCEMENT AND OFFENCES

Serious cases: offence

11.—(1) A person shall be guilty of an offence if—

(a) being under a requirement to do so, he fails to comply with any provision of the workplace fire precautions legislation; and

(b) that failure places one or more employees at risk of death or serious injury in case of fire.

(2) Any person guilty of an offence under this regulation shall be liable—

(a) on summary conviction to a fine not exceeding the statutory maximum; or

(b) on conviction on indictment, to a fine, or to imprisonment for a term not exceeding two years, or both.

(2A) In any proceedings for an offence under this regulation it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of the offence.

(3) A person is not guilty of an offence under this regulation in respect of any failure to comply with the workplace fire precautions legislation which is the subject of an enforcement notice.