
STATUTORY INSTRUMENTS

2001 No. 1117

**The Fisheries and Aquaculture Structures
(Grants) (England) Regulations 2001**

Offences and penalties

17.—(1) If any person, for the purposes of obtaining financial assistance for himself or any other person—

- (a) in furnishing any information in purported compliance with a requirement imposed by or under regulation 4(1) or (2) or 13(5)(a) knowingly or recklessly makes a statement which is false or misleading in a material particular; or
- (b) in purported compliance with a requirement imposed under regulation 4(2) or 13(5)(a) or (c) knowingly or recklessly produces a document which is false or misleading in a material particular,

he shall be guilty of an offence and liable on summary conviction to a fine not exceeding [^{F1}level 5 on the standard scale].

(2) If any person—

- (a) fails to comply with the requirement imposed under regulation 9 or by regulation 10;
- (b) fails to comply with a request made under regulation 12; or
- (c) intentionally refuses to supply any information, make any return, or produce any document when required to do so by, or otherwise intentionally obstructs, an authorised officer (or a person accompanying him and acting on his instructions) acting in exercise of a power conferred by regulation 13,

he shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(3) Proceedings for an offence under paragraph (1) or (2) above may, subject to paragraph (4) below, be commenced within the period of six months from the date on which evidence sufficient in the opinion of the prosecutor to justify the proceedings comes to his knowledge.

(4) No such proceedings shall be commenced by virtue of this regulation more than five years after the commission of the offence.

(5) For the purposes of this regulation—

- (a) a certificate signed by or on behalf of the prosecutor and stating the date on which evidence sufficient in his opinion to warrant the proceedings came to his knowledge shall be conclusive evidence of that fact; and
- (b) a certificate stating that matter purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

(6) Where an offence under this regulation 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 be liable to be proceeded against and punished accordingly.

Changes to legislation: There are currently no known outstanding effects for the *The Fisheries and Aquaculture Structures (Grants) (England) Regulations 2001, Section 17*. (See end of Document for details)

(7) Where the affairs of a body corporate are managed by its members, paragraph (6) 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.

F1 Words in reg. 17(1) substituted (20.6.2008) by [The Fisheries and Aquaculture Structures \(Grants\) \(England\) \(Amendment\) Regulations 2008 \(S.I. 2008/1322\)](#), regs. 1, 2

Changes to legislation:

There are currently no known outstanding effects for the The Fisheries and Aquaculture Structures (Grants) (England) Regulations 2001, Section 17.