
STATUTORY RULES OF NORTHERN IRELAND

1998 No. 289

The Special Waste Regulations (Northern Ireland) 1998

Offences

17.—(1) Subject to paragraph (2), it shall be an offence for a person (other than an authorised person) to fail to comply with any of the foregoing provisions of these Regulations insofar as that provision imposes any obligation or requirement upon him.

(2) It shall be a defence for a person charged with an offence under paragraph (1) to prove that he was not reasonably able to comply with the provision in question by reason of an emergency or grave danger and that he took all steps as were reasonably practicable in the circumstances for—

- (a) minimising any threat to the public or the environment; and
- (b) ensuring that the provision in question was complied with as soon as reasonably practicable after the event.

(3) A person who, in purported compliance with a requirement imposed by or under any of the foregoing provisions to furnish any information, makes a statement which he knows to be false or misleading in a material particular, or recklessly makes any statement which is false or misleading in a material particular, commits an offence.

(4) A person who intentionally makes a false entry in any record or register required to be kept by virtue of any of the foregoing provisions of these Regulations commits an offence.

(5) Where the commission by any person of an offence under this regulation is due to the act or default of some other person, that other person may be charged with and convicted of an offence by virtue of this paragraph whether or not proceedings are taken against the first-mentioned person.

(6) A person who commits an offence under this regulation shall be liable—

- (a) on summary conviction, to a fine not exceeding level 5 on the standard scale;
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years, or to both.