



International Carriage of Perishable Foodstuffs Act 1976

1976 CHAPTER 58

Offences

7 Offences as to use of transport equipment.

- (1) If any person without reasonable excuse uses or causes or permits to be used transport equipment for the international carriage of perishable foodstuffs, being equipment required to comply with regulations under this Act—
 - [^{F1}(a) without there being either a certificate of compliance in force for that equipment or a valid certification plate affixed to it in accordance with regulations under this Act,]
 - (b) without exhibiting the designated mark for that equipment, or
 - (c) in contravention of any regulations made under this Act,he shall be guilty of an offence.
- (2) A person guilty of an offence under this section shall be liable on summary conviction to a fine not exceeding [^{F2}level 3 on the standard scale].
- (3) In any proceedings for an offence under this section, it shall be a defence for the person charged to prove that—
 - (a) he is the carrier for hire or reward of the perishable foodstuffs to which the charge relates; and
 - (b) it is a term of the contract for the carriage that he does not undertake to comply or to secure compliance with the requirements of the regulation to which the charge relates.

Textual Amendments

F1 S. 7(1)(a) substituted by S.I. 1983/1123, art. 3, Sch. para. 4

Changes to legislation: There are currently no known outstanding effects for the International Carriage of Perishable Foodstuffs Act 1976, Section 7. (See end of Document for details)

F2 Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46**, (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F, 289G** and (N.I.) S.I. 1984/703 (N.I. 3), **arts. 5, 6**

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