
STATUTORY INSTRUMENTS

1993 No. 1317

**The Integrated Administration and
Control System Regulations 1993**

Offences and penalties

8.—(1) If any person—

- (a) intentionally obstructs an authorised person (or person accompanying him and acting under his instructions) in the exercise of a power conferred by regulation 6; or
- (b) fails without reasonable excuse to comply with a request made under regulation 7,

he shall be guilty of an offence.

(2) A person guilty of an offence under paragraph (1) above shall be liable on summary conviction in Great Britain to a fine not exceeding level 3 on the standard scale, and in Northern Ireland to a fine not exceeding £400.

(3) If any person for the purpose of obtaining the whole or any part of a specified payment—

- (a) furnishes information which he knows to be false or misleading in a material particular; or
- (b) recklessly furnishes information which is false or misleading in a material particular,

he shall be guilty of an offence.

(4) A person guilty of an offence under paragraph (3) above shall be liable on summary conviction in Great Britain to a fine not exceeding level 5 on the standard scale, and in Northern Ireland to a fine not exceeding £2,000.

(5) Proceedings for an offence under paragraphs (1) and (3) above may, subject to paragraph (6) below, in England, Wales and Northern Ireland be brought, and in Scotland commenced, within the period of six months from the date on which evidence sufficient in the opinion of the prosecutor to justify proceedings came to his knowledge.

(6) No such proceedings shall be brought by virtue of this regulation more than 12 months after the commission of the offence.

(7) 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.

(8) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

(9) In relation to proceedings in Scotland, subsection (3) of section 331 of the Criminal Procedure (Scotland) Act 1975⁽¹⁾ (date of commencement of proceedings) shall apply for the purposes of this regulation as it applies for the purposes of that section.

(10) 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, any director, manager, secretary or similar officer of the body corporate, or any person

(1) 1975 c. 21.

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who was purporting to act in any such capacity, he as well as the body corporate shall be deemed to be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(11) Where the affairs of a body corporate are managed by its members, the provisions of paragraph (10) 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.

(12) In paragraphs (10) and (11) above references to a “body corporate” include references to a partnership in Scotland and, in relation to such partnership, any reference to a director or other officer of a body corporate is a reference to a partner