
STATUTORY INSTRUMENTS

1993 No. 3031

**The Transfrontier Shipment of
Radioactive Waste Regulations 1993**

PART V

DOCUMENTATION, DIRECTIONS, APPEALS AND OFFENCES

Offences

18.—(1) Any person who fails to comply with any provision of regulation 6, 8(2), 9(2), 10, 15(1) or (2) commits an offence.

(2) It is an offence for a person to make a statement which he knows to be false or misleading in a material particular, or recklessly to make a statement which is false or misleading in a material particular, where the statement is made—

- (a) in purported compliance with a requirement to furnish any information imposed by or under any provision of these Regulations; or
- (b) for the purpose of obtaining the grant under these Regulations of any authorisation or approval to, or for the benefit of, himself or any other person.

(3) Where the commission by any person of an offence under these Regulations is due to the act or default of some other person, that other person shall be guilty of the offence, and a 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.

(4) Where an offence under these Regulations which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been 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 shall be liable to be proceeded against and punished accordingly.

(5) Where the affairs of a body corporate are managed by its members, paragraph (4) shall apply in relation to the acts or defaults of a member in connection with his functions of management as if he were a director of the body corporate.

(6) Where, in Scotland, an offence under these Regulations which has been committed by a partnership or an incorporated association (other than a partnership) is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of, a partner in the partnership or, as the case may be, a person concerned in the management or control of the association, he, as well as the partnership or association, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

(7) A person who commits an offence under this regulation shall be liable on summary conviction to a fine not exceeding the statutory maximum, or on conviction on indictment to imprisonment for a term not exceeding two years, or a fine, or both.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(8) In England and Wales, an inspector appointed under section 4 of the 1993 Act, if authorised to do so by the chief inspector, may, although not of counsel or a solicitor, prosecute before a magistrates' court proceedings for an offence under these Regulations.