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STATUTORY INSTRUMENTS

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**1996 No. 3124**

**The Products of Animal Origin  
(Import and Export) Regulations 1996**

**PART VIII**

**OFFENCES AND PENALTIES**

**Obstruction**

**36.**—(1) No person shall—

- (a) intentionally obstruct any person acting in the execution and enforcement of these Regulations;
- (b) without reasonable cause, fail to give to any person acting in the execution and enforcement of these Regulations any assistance or information which that person may reasonably require of him for the purposes of his functions under these Regulations; or
- (c) furnish to any person acting in the execution and enforcement of these Regulations any information which he knows to be false or misleading.

(2) Nothing in paragraph (1)(b) above shall be construed as requiring any person to answer any question or give any information if to do so might incriminate him.

**Offences and penalties**

**37.**—(1) A person contravening any provision of these Regulations or any notice served under them shall be guilty of an offence.

(2) A person guilty of an offence under regulation 36(1)(a) or (b) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding three months or to both.

(3) A person guilty of any other offence under these Regulations shall be liable—

- (a) on conviction on indictment, to a fine or to imprisonment for a term not exceeding two years or to both;
- (b) on summary conviction, to a fine not exceeding the statutory maximum or to imprisonment not exceeding three months or to both.

(4) Paragraphs (1) to (3) above shall not apply to anything done or omitted by the Minister, the Secretary of State or a local authority.

**Offences by bodies corporate**

**38.**—(1) Where a body corporate is guilty of an offence under these Regulations, and that offence 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) any director, manager, secretary or other similar officer of the body corporate; or

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

(2) For the purposes of paragraph (1) above, “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

(3) Where an offence under these Regulations is committed in Scotland by a Scottish partnership and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, he as well as the partnership shall be guilty of the offence and be liable to be proceeded against and punished accordingly.

### **Protection of officers acting in good faith**

**39.**—(1) An officer of the Minister, the Secretary of State or a local authority is not personally liable in respect of any act done by him in the execution or purported execution of these Regulations within the scope of his employment, if he did that act in the honest belief that his duty under these Regulations required or entitled him to do it.

(2) Nothing in paragraph (1) above shall be construed as relieving the Minister, the Secretary of State or any local authority from any liability in respect of acts of their officers.