
STATUTORY INSTRUMENTS

1997 No. 648

**The Producer Responsibility Obligations
(Packaging Waste) Regulations 1997**

PART X

OFFENCES

Offences and penalties

34.—(1) Subject to paragraph 5 of Schedule 8, a producer who contravenes a requirement of—

- (a) subject to paragraph (2) below, regulation 3(5)(a);
- (b) regulation 3(5)(b)(i); or
- (c) regulation 3(5)(b)(ii),

is guilty of an offence.

(2) A producer is not guilty of an offence under paragraph (1)(a) above in respect of any period during which, under regulation 6(6), he is treated as having been registered.

(3) A person who—

- (a) furnishes a certificate of compliance under regulation 23 and either—
 - (i) knows the information provided in or in connection with the certificate to be false or misleading in a material particular, or
 - (ii) furnishes such information recklessly and it is false or misleading in a material particular;
- (b) fails without reasonable excuse to furnish any information required by the Director in accordance with regulation 31(12); or
- (c) furnishes any information to the appropriate Agency in connection with its functions under these Regulations, or to the Secretary of State or to the Director in connection with the functions of either of them under Part VIII of these Regulations, and either—
 - (i) knows the information to be false or misleading in a material particular, or
 - (ii) furnishes such information recklessly and it is false or misleading in a material particular,

is guilty of an offence.

(4) A person who intentionally delays or obstructs a person authorised by an appropriate Agency in the exercise of powers referred to in regulation 28 is guilty of an offence.

(5) A person guilty of an offence under any of paragraphs (1) to (4) above shall be liable—

- (a) on summary conviction to a fine not exceeding the statutory maximum; or
- (b) on conviction on indictment, to a fine.