STATUTORY INSTRUMENTS

2002 No. 3026

The Forest Reproductive Material (Great Britain) Regulations 2002

PART VII

Compliance

Offences and Penalties

- **30.**—(1) A person shall be guilty of an offence if without reasonable excuse, proof of which shall lie with him, he—
 - (a) contravenes regulations 8(2), 9(2),(3) and (9)(a), 16(1), 17 and 21 to 25;
 - (b) breaches any condition on which a licence has been granted to him under regulation 18;
 - (c) fails to produce records or other documents when required to do so under regulation 26 or to provide access and reasonable facilities for the inspection or copying of electronic material under that regulation;
 - (d) obstructs or impedes an authorised officer, or any person nominated by an authorised officer under regulation 26(6) in the exercise of powers set out in regulations 26 and 27;
 - (e) provides or permits to be provided false information in any document required under these regulations; or
 - (f) falsifies test results of assessments carried out for the purpose of providing the information required under regulation 19(2) as read with regulation 20, or otherwise interferes with the testing process so that the information provided pursuant to regulation 19(2) as read with regulation 20 is false.
- [F1(2) Proceedings for an offence under this regulation may, subject to paragraph (2A) below, be commenced within the period of six months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge.]
- [^{F2}(2A) No such proceeding shall be commenced by virtue of this regulation more than 3 years after the commission of the offence.
 - (2B) For the purposes of this regulation—
 - (a) 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;
 - (b) a certificate stating that matter purporting to be so signed shall be deemed to be so signed unless the contrary is proved.
- (2C) In relation to proceedings in Scotland, subsection (3) of section 136 of the Criminal Procedure (Scotland) Act 1995 (date of commencement of proceedings) shall apply for the purposes of this regulation as it applies for the purposes of that section.]

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Forest Reproductive Material (Great Britain) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (3) A person guilty of an offence under paragraph (1) shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.
 - F1 Reg. 30(2) substituted (9.10.2006) by The Forest Reproductive Material (Great Britain) (Amendment) Regulations 2006 (S.I. 2006/2530), regs. 1, 11(1)
 - F2 Reg. 30(2A)-(2C) inserted (9.10.2006) by The Forest Reproductive Material (Great Britain) (Amendment) Regulations 2006 (S.I. 2006/2530), regs. 1, 11(2)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Forest Reproductive Material (Great Britain) Regulations 2002. Any changes that have already been made by the team appear in the content and are referenced with annotations. View outstanding changes

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- sch. 13 Pt. 1A1B inserted by S.S.I. 2019/130 reg. 66(25)(c) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/130, reg. 66(25)(c) substituted immediately before IP completion day by S.S.I. 2020/445, regs. 1(1)(b), 19(11)(c))
- Sch. 13 Pt. 1A1B inserted by S.I. 2019/131 reg. 6(25)(c) (This amendment not applied to legislation.gov.uk. Reg. 6(25)(c)-(e) substituted for reg. 6(25)(c) immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(j)(iii))
- Sch. 13 Pt. 1A1B inserted by S.I. 2019/735 reg. 2(25)(c) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- Sch. 13 para. 2 omitted by S.I. 2020/1492 reg. 6(26)(b)(iii)(ee)
- sch. 13 para. 2 omitted by S.S.I. 2019/130, reg. 66(25)(b)(ii)(ee) (as substituted) by S.S.I. 2020/445 reg. 19(11)(b)(ii)
- Sch. 13 para. 2 word inserted by S.I. 2020/1492 reg. 6(26)(b)(iii)(bb)
- sch. 13 para. 2 word inserted by S.S.I. 2019/130, reg. 66(25)(b)(ii)(bb) (as substituted) by S.S.I. 2020/445 reg. 19(11)(b)(ii)
- sch. 13 para. 2 words inserted by S.S.I. 2019/130 reg. 66(25)(b)(i)
- sch. 13 para. 2 words inserted by S.S.I. 2019/130 reg. 66(25)(b)(ii)(aa) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/130, reg. 66(25)(b)(ii) substituted immediately before IP completion day by S.S.I. 2020/445, regs. 1(1)(b), 19(11)(b)(ii))
- Sch. 13 para. 2 words inserted by S.I. 2019/131 reg. 6(25)(b)(i)
- Sch. 13 para. 2 words inserted by S.I. 2019/131 reg. 6(25)(b)(ii)(aa) (This amendment not applied to legislation.gov.uk. Reg. 6(25)(b)(ii) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(j)(ii) (bb))
- Sch. 13 para. 2 words inserted by S.I. 2019/735 reg. 2(25)(b)(i) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- Sch. 13 para. 2 words inserted by S.I. 2019/735 reg. 2(25)(b)(ii)(aa) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- Sch. 13 para. 2 words inserted by S.I. 2020/1492 reg. 6(26)(b)(i)
- sch. 13 para. 6 heading words inserted by S.S.I. 2019/130, reg. 66(25)(d) (as substituted) by S.S.I. 2020/445 reg. 19(11)(c)
- sch. 13 para. 6 words inserted by S.S.I. 2019/130, reg. 66(25)(d) (as substituted) by S.S.I. 2020/445 reg. 19(11)(c)
- Sch. 13 para. 2 words omitted by S.I. 2020/1492 reg. 6(26)(b)(ii)
- sch. 13 para. 2 words omitted by S.S.I. 2019/130, reg. 66(25)(b)(ia) (as inserted) by S.S.I. 2020/445 reg. 19(11)(b)(i)
- sch. 13 para. 1 words substituted by S.S.I. 2019/130 reg. 66(25)(a) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/130, reg. 66(25)(a) substituted immediately before IP completion day by S.S.I. 2020/445, regs. 1(1)(b), 19(11)(a))
- sch. 13 para. 2 words substituted by S.S.I. 2019/130 reg. 66(25)(b)(ii)(bb) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/130, reg. 66(25)(b)(ii) substituted immediately before IP completion day by S.S.I. 2020/445, regs. 1(1)(b), 19(11)(b)(ii))

- Sch. 13 para. 1 words substituted by S.I. 2019/131 reg. 6(25)(a) (This amendment not applied to legislation.gov.uk. Reg. 6(25)(a) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(j)(i))
- Sch. 13 para. 2 words substituted by S.I. 2019/131 reg. 6(25)(b)(ii)(bb) (This amendment not applied to legislation.gov.uk. Reg. 6(25)(b)(ii) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(j)(ii) (bb))
- Sch. 13 para. 1 words substituted by S.I. 2019/735 reg. 2(25)(a) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- Sch. 13 para. 2 words substituted by S.I. 2019/735 reg. 2(25)(b)(ii)(bb) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- Sch. 13 para. 1 words substituted by S.I. 2020/1492 reg. 6(26)(a)
- Sch. 13 para. 2 words substituted by S.I. 2020/1492 reg. 6(26)(b)(iii)(aa)
- Sch. 13 para. 2 words substituted by S.I. 2020/1492 reg. 6(26)(b)(iii)(cc)
- Sch. 13 para. 2 words substituted by S.I. 2020/1492 reg. 6(26)(b)(iii)(dd)
- Sch. 13 para. 3 words substituted by S.I. 2020/1492 reg. 6(26)(c)
- Sch. 13 para. 7 words substituted by S.I. 2020/1492 reg. 6(26)(d)
- sch. 13 para. 1 words substituted by S.S.I. 2019/130, reg. 66(25)(a) (as substituted)
 by S.S.I. 2020/445 reg. 19(11)(a)
- sch. 13 para. 2 words substituted by S.S.I. 2019/130, reg. 66(25)(b)(ii)(aa) (as substituted) by S.S.I. 2020/445 reg. 19(11)(b)(ii)
- sch. 13 para. 2 words substituted by S.S.I. 2019/130, reg. 66(25)(b)(ii)(cc) (as substituted) by S.S.I. 2020/445 reg. 19(11)(b)(ii)
- sch. 13 para. 2 words substituted by S.S.I. 2019/130, reg. 66(25)(b)(ii)(dd) (as substituted) by S.S.I. 2020/445 reg. 19(11)(b)(ii)
- sch. 13 para. 3 words substituted by S.S.I. 2019/130, reg. 66(25)(c) (as substituted)
 by S.S.I. 2020/445 reg. 19(11)(c)
- sch. 13 para. 7 words substituted by S.S.I. 2019/130, reg. 66(25)(e) (as substituted)
 by S.S.I. 2020/445 reg. 19(11)(c)
- reg. 2(4A)-(6) omitted by S.S.I. 2019/130 reg. 66(4)
- reg. 2(4A)-(6) omitted by S.I. 2019/131 reg. 6(4)
- reg. 2(4A)-(6) omitted by S.I. 2019/735 reg. 2(4) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 2(4A)-(6) omitted by S.I. 2020/1492 reg. 6(3)
- reg. 4(1A) omitted by S.S.I. 2019/130 reg. 66(5)(b)
- reg. 4(1A) omitted by S.I. 2019/131 reg. 6(5)(b)
- reg. 4(1A) omitted by S.I. 2019/735 reg. 2(5)(b) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 4(1A) omitted by S.I. 2020/1492 reg. 6(5)(b)
- reg. 7(4)(c) inserted by S.I. 2019/131 reg. 6(6)(b)
- reg. 7(4)(c) inserted by S.I. 2019/735 reg. 2(6)(b) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 7(4)(c) inserted by S.I. 2020/1492 reg. 6(6)(b)
- reg. 7(4)(d) inserted by S.S.I. 2019/130 reg. 66(6)(b)
- reg. 14(4)(a)(iii) words substituted by S.S.I. 2019/130 reg. 66(7)(a)(ii)
- reg. 14(4)(a)(iii) words substituted by S.I. 2019/131 reg. 6(7)(a)(ii) (This amendment not applied to legislation.gov.uk. Reg. 6(7)(a)(ii) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(c))
- reg. 14(4)(a)(iii) words substituted by S.I. 2019/735 reg. 2(7)(a)(ii) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 14(4)(a)(iii) words substituted by S.I. 2020/1492 reg. 6(7)(a)(ii)

- reg. 14(4)(a)(iii) words substituted in earlier amending provision S.S.I. 2019/130,
 reg. 66(7)(a)(ii) by S.S.I. 2020/445 reg. 19(4)
- reg. 14(4)(a)(ii) words substituted by S.S.I. 2019/130 reg. 66(7)(a)(i)(aa)
- reg. 14(4)(a)(ii) words substituted by S.S.I. 2019/130 reg. 66(7)(a)(i)(bb)
- reg. 14(4)(a)(ii) words substituted by S.I. 2019/131 reg. 6(7)(a)(i)(aa)
- reg. 14(4)(a)(ii) words substituted by S.I. 2019/131 reg. 6(7)(a)(i)(bb)
- reg. 14(4)(a)(ii) words substituted by S.I. 2019/735 reg. 2(7)(a)(i)(aa) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 14(4)(a)(ii) words substituted by S.I. 2019/735 reg. 2(7)(a)(i)(bb) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 14(4)(a)(ii) words substituted by S.I. 2020/1492 reg. 6(7)(a)(i)(aa)
- reg. 14(4)(a)(ii) words substituted by S.I. 2020/1492 reg. 6(7)(a)(i)(bb)
- reg. 14(4)(b)(ia) inserted by S.S.I. 2019/130 reg. 66(7)(b)
- reg. 14(4)(b)(ia) inserted by S.I. 2019/131 reg. 6(7)(b)
- reg. 14(4)(b)(ia) inserted by S.I. 2019/735 reg. 2(7)(b) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 14(4)(b)(ia) inserted by S.I. 2020/1492 reg. 6(7)(b)
- reg. 17(1)(d) omitted by S.S.I. 2019/130 reg. 66(8)(a)(iv)
- reg. 17(1)(d) omitted by S.I. 2019/131 reg. 6(8)(a)(iv) (This amendment not applied to legislation.gov.uk. Reg. 6(8)(a) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(d))
- reg. 17(1)(d) omitted by S.I. 2019/735 reg. 2(8)(a)(iv) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 17(1)(d) omitted by S.I. 2020/1492 reg. 6(8)(a)(iii)
- reg. 17(1)(e) words substituted by S.I. 2020/1492 reg. 6(8)(a)(iv)
- reg. 17(1)(e) words substituted by S.S.I. 2019/130, reg. 66(8)(a)(iva) (as inserted) by S.S.I. 2020/445 reg. 19(5)(c)
- reg. 17(1)(f) omitted by S.S.I. 2019/130 reg. 66(8)(a)(vi)
- reg. 17(1)(f) omitted by S.I. 2019/131 reg. 6(8)(a)(vi) (This amendment not applied to legislation.gov.uk. Reg. 6(8)(a) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(d))
- reg. 17(1)(f) omitted by S.I. 2019/735 reg. 2(8)(a)(vi) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 17(1)(f) omitted by S.I. 2020/1492 reg. 6(8)(a)(vi)
- reg. 17(1)(ba) inserted by S.I. 2019/131 reg. 6(8)(a)(ii) (This amendment not applied to legislation.gov.uk. Reg. 6(8)(a) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(d))
- reg. 17(1)(ba) inserted by S.I. 2019/735 reg. 2(8)(a)(ii) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 17(1)(bb) inserted by S.S.I. 2019/130 reg. 66(8)(a)(ii) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/130, reg. 66(8)(a)(ii) omitted immediately before IP completion day by virtue of S.S.I. 2020/445, regs. 1(1)(b), 19(5)(a))
- reg. 17(1)(ea) inserted by S.I. 2019/131 reg. 6(8)(a)(v) (This amendment not applied to legislation.gov.uk. Reg. 6(8)(a) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(d))
- reg. 17(1)(ea) inserted by S.I. 2019/735 reg. 2(8)(a)(v) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 17(1)(ea)(eb) inserted by S.I. 2020/1492 reg. 6(8)(a)(v)
- reg. 17(1)(ea)(eb) inserted by S.I. 2019/131, reg. 6(8)(a)(v) (as substituted) by S.I. 2020/1388 reg. 29(4)(d)

- reg. 17(1)(ea)(eb) inserted by S.S.I. 2019/130, reg. 66(8)(a)(v) (as substituted) by S.S.I. 2020/445 reg. 19(5)(d)
- reg. 17(1)(eb) inserted by S.S.I. 2019/130 reg. 66(8)(a)(v) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/130, reg. 66(8)(a)(v) substituted immediately before IP completion day by S.S.I. 2020/445, regs. 1(1)(b), 19(5)(d))
- reg. 18(3)(c) words substituted by S.I. 2019/131 reg. 6(9)
- reg. 18(3)(c) words substituted by S.I. 2019/735 reg. 2(9) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 18(3)(c) words substituted by S.I. 2020/1492 reg. 6(9)
- reg. 18A(3)(c) words substituted by S.S.I. 2019/130 reg. 66(9)
- reg. 19(1)(i) and word omitted by S.S.I. 2019/130 reg. 66(10)(a)(iii)
- reg. 19(1)(i) omitted by S.I. 2019/131 reg. 6(10)(a)(iii)
- reg. 19(1)(i) omitted by S.I. 2019/735 reg. 2(10)(a)(iii) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 19(1)(i) omitted by S.I. 2020/1492 reg. 6(10)(a)(iii)
- reg. 23A inserted by S.I. 2020/1492 reg. 6(15)
- reg. 23A inserted by S.I. 2019/131, reg. 6(14A) (as inserted) by S.I. 2020/1388 reg. 29(4)(h)
- reg. 23A inserted by S.S.I. 2019/130, reg. 66(14A) (as inserted) by S.S.I. 2020/445
 reg. 19(9)
- reg. 25(1) words substituted by S.I. 2019/131 reg. 6(16)(a) (This amendment not applied to legislation.gov.uk. Reg. 6(16) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(i))
- reg. 25(1) words substituted by S.I. 2019/735 reg. 2(16)(a) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 25(1) words substituted by S.I. 2020/1492 reg. 6(17)(a)
- reg. 25(2) words substituted by S.I. 2019/131 reg. 6(16)(a) (This amendment not applied to legislation.gov.uk. Reg. 6(16) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(i))
- reg. 25(2) words substituted by S.I. 2019/735 reg. 2(16)(a) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 25(2) words substituted by S.I. 2020/1492 reg. 6(17)(a)
- reg. 25(6) words substituted by S.I. 2019/131 reg. 6(16)(b) (This amendment not applied to legislation.gov.uk. Reg. 6(16) substituted immediately before IP completion day by S.I. 2020/1388, regs. 1(2)(a), 29(4)(i))
- reg. 25(6) words substituted by S.I. 2019/735 reg. 2(16)(b) (This amendment not applied to legislation.gov.uk. S.I. 2019/735, Pts. 2, 3 revoked on IP completion day by S.I. 2020/1492, regs. 2(b), 4)
- reg. 25(6) words substituted by S.I. 2020/1492 reg. 6(17)(b)
- reg. 25A heading words substituted by S.S.I. 2019/130, reg. 66(16)(a) (as substituted) by S.S.I. 2020/445 reg. 19(10)
- reg. 25A(1) words substituted by S.S.I. 2019/130 reg. 66(16)(a) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/130, reg. 66(16) substituted immediately before IP completion day by S.S.I. 2020/445, regs. 1(1)(b), 19(10))
- reg. 25A(1) words substituted by S.S.I. 2019/130, reg. 66(16)(b) (as substituted) by S.S.I. 2020/445 reg. 19(10)
- reg. 25A(2) words substituted by S.S.I. 2019/130 reg. 66(16)(a) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/130, reg. 66(16) substituted immediately before IP completion day by S.S.I. 2020/445, regs. 1(1)(b), 19(10))
- reg. 25A(2) words substituted by S.S.I. 2019/130, reg. 66(16)(b) (as substituted) by S.S.I. 2020/445 reg. 19(10)
- reg. 25A(6) words substituted by S.S.I. 2019/130 reg. 66(16)(b) (This amendment not applied to legislation.gov.uk. S.S.I. 2019/130, reg. 66(16) substituted immediately before IP completion day by S.S.I. 2020/445, regs. 1(1)(b), 19(10))

reg. 25A(6) words substituted by S.S.I. 2019/130, reg. 66(16)(c) (as substituted) by S.S.I. 2020/445 reg. 19(10)