
STATUTORY INSTRUMENTS

2010 No. 490

The Conservation of Habitats and Species Regulations 2010

PART 5

LICENCES

Offences

False statements made for obtaining licence

57.—(1) A person (“P”) commits an offence if, for the purposes of obtaining, whether for P or another, the grant of a licence under regulation 53 or 54, P—

- (a) makes a statement or representation, or supplies a document or information, which P knows to be false in a material particular; or
- (b) recklessly makes a statement or representation, or supplies a document or information, which is false in a material particular.

(2) A person guilty of an offence under this regulation is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.

Offence of breaching licence condition

58.—(1) It is an offence for the holder of a licence to contravene or fail to comply with any condition attached to the licence.

(2) Paragraph (1) applies to a licence under regulation 53 granted on or after 21st August 2007.

(3) A person (“P”) is not guilty of an offence under paragraph (1) if P shows that—

- (a) P took all reasonable precautions and exercised all due diligence to avoid commission of the offence; or
- (b) the commission of the offence was otherwise due to matters beyond P’s control.

(4) A person guilty of an offence under paragraph (1) is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale, or to both.