
STATUTORY INSTRUMENTS

2010 No. 490

The Conservation of Habitats and Species Regulations 2010

PART 7

ENFORCEMENT

Offences

Attempts and possession of means of committing offence

116.—(1) A person who attempts to commit an offence specified in paragraph (3) is guilty of an offence and punishable in the same manner as for that offence.

(2) A person who, for the purposes of committing an offence specified in paragraph (3), is in possession of anything capable of being used for committing such an offence, is guilty of an offence and punishable in the same manner as for that offence.

(3) The offences specified for the purposes of this regulation are—

- (a) a species offence; and
- (b) an offence under regulation 57 (false statements made for obtaining licence), where that offence relates to the obtaining of a licence under regulation 53 (licences for certain activities relating to animals or plants).

Obstruction of persons exercising powers of entry under regulation 111

117. A person who intentionally obstructs a person exercising powers under regulation 111 (powers of entry: other authorised persons) commits an offence and is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

Obstruction in connection with constables' powers to take samples

118.—(1) A person who, without reasonable excuse, fails—

- (a) to make available any specimen in accordance with a requirement under paragraph (2) of regulation 113 (powers in relation to samples: constables), or
- (b) to give any assistance reasonably required under paragraph (3) of that regulation,

commits an offence.

(2) A person guilty of an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

Offences in connection with wildlife inspectors' enforcement powers

119.—(1) A person who—

- (a) intentionally obstructs a wildlife inspector acting in the exercise of powers conferred by regulation 110 (powers of entry: wildlife inspectors) or paragraph (2) or (5) of regulation 114 (powers in relation to specimens and samples: wildlife inspectors), or
- (b) fails without reasonable excuse to give any assistance reasonably required under regulation 114(4),

commits an offence.

(2) A person who, with intent to deceive, falsely pretends to be a wildlife inspector, commits an offence.

(3) A person guilty of an offence under paragraph (1) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(4) A person guilty of an offence under paragraph (2) is liable—

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