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STATUTORY INSTRUMENTS

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**2010 No. 490**

The Conservation of Habitats and Species Regulations 2010

PART 5

LICENCES

*Offences*

**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.