
STATUTORY INSTRUMENTS

1998 No. 1069

**The Activity Centres (Young Persons'
Safety) (Northern Ireland) Order 1998**

Offences

- 4.—(1) Regulations may provide for it to be an offence—
- (a) to do anything for which a licence is required under the regulations, otherwise than in accordance with a licence; or
 - (b) for the purposes of obtaining or holding a licence—
 - (i) to make a statement to the licensing authority (or someone acting on its behalf) knowing it to be false in a material particular; or
 - (ii) recklessly to make a statement to the licensing authority (or someone acting on its behalf) which is false in a material particular.
- (2) A person convicted of an offence under regulations made under paragraph (1) shall be liable—
- (a) on summary conviction, to a fine not exceeding the statutory maximum;
 - (b) on conviction on indictment—
 - (i) for an offence under regulations made under paragraph (1)(a), to imprisonment for a term not exceeding two years, or a fine, or both;
 - (ii) for an offence under regulations made under paragraph (1)(b), to a fine.
- (3) Regulations under paragraph (1)—
- (a) may provide defences to be available in proceedings for an offence under the regulations;
 - (b) may make, in relation to provisions of the regulations, provision which applies (with or without modifications), or has a similar purpose to that of, any of the provisions of the Health and Safety at Work (Northern Ireland) Order 1978 set out in paragraph (4).
- (4) The provisions mentioned in paragraph (3)(b) are—
- (a) Articles 17(7) and 33 (venue);
 - (b) Articles 20 to 22 and 28 (enforcement authorities and inspectors);
 - (c) Articles 23 to 26 (improvement and prohibition notices);
 - (d) Article 27 (power to deal with cause of imminent danger);
 - (e) Articles 29 and 30 (obtaining and disclosure of information);
 - (f) Article 31(1)(e) to (j), (n) and (o), (2), (2A), (4) and (5) (ancillary offences);
 - (g) Article 32(2) to (4) (extension of time for bringing summary proceedings);
 - (h) Article 34(1) (offences due to the fault of other persons);
 - (i) Articles 35 and 36 (restriction on institution of proceedings and prosecutions by inspectors);
 - (j) Articles 37 and 38 (onus of proving limits of what is practicable etc., and evidence); and

- (k) Article 39 (power of court to order cause of offence to be remedied and, in certain cases, forfeiture).