2011 CHAPTER 25

Part 5

Enforcement

Certificate of lawful use or development

Offences

172.—(1) If any person, for the purpose of procuring a particular decision on an application (whether by that person or another) for the issue of a certificate under section 169 or 170—

(a) knowingly or recklessly makes a statement which is false or misleading in a material particular;

(b) with intent to deceive, uses any document which is false or misleading in a material particular; or

(c) with intent to deceive, withholds any material information,

that person shall be guilty of an offence.

(2) A person guilty of an offence under subsection (1) shall be liable—

(a) on summary conviction, to a fine not exceeding the statutory maximum;

(b) on conviction on indictment, to imprisonment for a term not exceeding 2 years or a fine, or both.

(3) Notwithstanding Article 19 of the Magistrates' Courts (Northern Ireland) Order 1981 (NI 26), a magistrates' court may hear and determine a complaint in respect of an offence under subsection (1) whenever made.

Modifications etc. (not altering text)

C1 Pt. 5 applied with modification(s) (1.4.2015) by The Planning (Conservation Areas) (Demolition) Regulations (Northern Ireland) 2015 (S.R. 2015/107), regs. 1, **11**

C2 Pt. 5 (except ss. 157-163) applied with modification(s) (1.4.2015) by The Planning General Regulations (Northern Ireland) 2015 (S.R. 2015/39), regs. 1(1), **2** (with regs. 3-10)

C3 Ss. 162-175: transfer of functions (8.5.2016) by The Departments (Transfer of Functions) Order (Northern Ireland) 2016 (S.R. 2016/76), art. 1(2), **Sch. 5 Pt. 2** (with art. 9(2))

Commencement Information

I1 S. 172 in operation at 13.2.2015 for specified purposes by S.R. 2015/49, art. 2, **Sch. 1**

I2 S. 172 in operation at 1.4.2015 in so far as not already in operation by S.R. 2015/49, art. 3, **Sch. 1** (with Sch. 2) (as amended (16.3.2016) by S.R. 2016/159, art. 2)

Changes to legislation:
There are currently no known outstanding effects for the Planning Act (Northern Ireland) 2011, Section 172.