



Essential Commodities Reserves Act 1938

1938 CHAPTER 51 1 and 2 Geo 6

4 Enforcement.

- (1) If any person makes default in making any return or furnishing any information which he is duly required to make or furnish under this Act, he shall be guilty of an offence and shall be liable on summary conviction thereof to a fine not exceeding [^{F1}level 3 on the standard scale], and if after being so convicted he continues to make the like default, he shall be guilty of a further offence and shall be liable on summary conviction thereof to a fine not exceeding fifty pounds for each day on which the default has continued after the first mentioned conviction.
- (2) If any person duly required under this Act to make any return or furnish any information knowingly or recklessly makes a false return or furnishes false information, or if any person for the purpose of obtaining any payment under this Act, either for himself or for any other person, knowingly or recklessly makes any untrue statement or untrue representation, he shall be guilty of an offence and shall, in respect of each such offence, be liable on summary conviction to a fine not exceeding [^{F1}level 3 on the standard scale] or to imprisonment for a term not exceeding three months or to both such fine and such imprisonment.
- (3) Where an offence under this Act committed by a body corporate is proved to have been committed with the consent or approval of, or to have been facilitated by any negligence on the part of, any director, manager, secretary or other officer of the body corporate, he, as well as the body corporate, shall be deemed to be guilty of the offence and shall be liable to be proceeded against and punished accordingly.

Textual Amendments

- F1** Words substituted by virtue of (E.W.) [Criminal Justice Act 1982 \(c. 48, SIF 39:1\)](#), **ss. 38, 46**, (S.) [Criminal Procedure \(Scotland\) Act 1975 \(c. 21, SIF 39:1\)](#), **ss. 289F, 289G** and (N.I.) by 1984/703 (N.I. 3), arts. 5, 6

Status:

Prospective version(s) available.

Changes to legislation:

Essential Commodities Reserves Act 1938, Section 4 is up to date with all changes known to be in force on or before 06 July 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- s. 4(2) words repealed by [2003 c. 44 Sch. 37 Pt. 9](#)