
STATUTORY INSTRUMENTS

2004 No. 3213

**The Plant Health (Forestry) (Phytophthora
ramorum) (Great Britain) Order 2004**

Offences

13.—(1) A person shall be guilty of an offence if, without reasonable excuse, proof of which shall lie on him—

- (a) he contravenes or fails to comply with articles 3 or 5; or
- (b) he contravenes or fails to comply with a provision or condition of a notice served under this Order or a licence granted under article 28A of the principal Order as applied for the purposes of this Order by article 9; or
- (c) he intentionally obstructs an inspector or any person authorised by an inspector in the exercise of his powers given by or under this Order.

(2) A person shall be guilty of an offence if, for the purpose of procuring the authority to issue a plant passport under this Order, he—

- (a) makes a statement which he knows to be false in a material particular;
- (b) recklessly makes a statement which is false in a material particular; or
- (c) intentionally fails to disclose any material information.

(3) A person shall be guilty of an offence if he dishonestly issues a false plant passport under this Order.

(4) A person shall be guilty of an offence if he dishonestly alters a plant passport affixed to susceptible material or re-uses a plant passport for susceptible material which is not the material for which the plant passport was issued.

(5) A person guilty of an offence under this article shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.