
STATUTORY INSTRUMENTS

2009 No. 1348

**The Carriage of Dangerous Goods and Use of
Transportable Pressure Equipment Regulations 2009**

PART 7

MISCELLANEOUS

[^{F1}Offences in connection with the civil carriage of class 7 goods

32A.—(1) It is an offence for a person to contravene—

- (a) any provision of these Regulations as they apply to the civil carriage of class 7 goods, or
- (b) any requirement or prohibition imposed under any provision of these Regulations as they apply to such carriage (including any requirement or prohibition to which that person is subject by virtue of the terms of or any condition or restriction attached to any approval, exemption or other authority issued, given or granted under them).

(2) A person who commits an offence under this regulation is liable—

(a) on summary conviction to—

- (i) imprisonment for a term not exceeding [^{F2}12 months][^{F2}the general limit in a magistrates' court] , or
- (ii) a fine, or
- (iii) both;

(b) on conviction on indictment to—

- (i) imprisonment for a term not exceeding two years, or
- (ii) a fine, or
- (iii) both.

(3) Paragraphs (4) and (5) make transitional modifications to paragraph (2) as it applies to England and Wales.

(4) In relation to an offence committed before [^{F3}2nd May 2022], the reference in paragraph (2)(a)(i) to imprisonment for a term not exceeding [^{F4}12 months][^{F4}the general limit in a magistrates' court] is to be read as reference to imprisonment for a term not exceeding six months.

(5) In relation to an offence committed before the commencement of section 85(1) of the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (removal of limit on certain fines on conviction by magistrates' court) the reference to a fine in paragraph (2)(a)(ii) is to be read as a reference to a fine not exceeding £20,000.]

F1 Reg. 32A inserted (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), **Sch. 3 para. 28(6)** (with Sch. 4)

Changes to legislation: *There are currently no known outstanding effects for the The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009, Section 32A. (See end of Document for details)*

- F2** Words in reg. 32A(2)(a)(i) substituted (E.W.) (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(2), **Sch. Pt. 2**
- F3** Words in reg. 32A(4) substituted (28.4.2022) by The Criminal Justice Act 2003 (Commencement No. 33) and Sentencing Act 2020 (Commencement No. 2) Regulations 2022 (S.I. 2022/500), regs. 1(2), 5(2), **Sch. Pt. 2**
- F4** Words in reg. 32A(4) substituted (E.W.) (7.2.2023 at 12.00 p.m.) by The Judicial Review and Courts Act 2022 (Magistrates' Court Sentencing Powers) Regulations 2023 (S.I. 2023/149), regs. 1(2), 2(2), **Sch. Pt. 2**

Changes to legislation:

There are currently no known outstanding effects for the The Carriage of Dangerous Goods and Use of Transportable Pressure Equipment Regulations 2009, Section 32A.