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STATUTORY RULES OF NORTHERN IRELAND

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**1998 No. 328**

**The Smoke Control Areas (Sale or Delivery of  
Unauthorised Fuel) Regulations (Northern Ireland) 1998**

**Offences and penalties**

**8.—(1)** Any person who contravenes—

- (a) regulation 3(1) or permits another person to contravene that regulation; or
- (b) regulation 7(1);

shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(2) In proceedings for an offence under these Regulations it shall be a defence for the person charged to prove that he took all reasonable precautions and exercised all due diligence to avoid the commission of such an offence by himself or by any person under his control.

(3) Where the commission by any person of an offence under these Regulations is due to an act or default of some other person that other person shall be guilty of the offence and may be charged with and convicted of the offence by virtue of this regulation whether or not proceedings are brought against the first-mentioned person.