
STATUTORY RULES OF NORTHERN IRELAND

2003 No. 496

The Landfill Regulations (Northern Ireland) 2003

PART III

MISCELLANEOUS

Offences

17.—(1) It shall be an offence for a operator of a landfill to contravene –

- (a) regulation 9 as applied by paragraph 1(14) of Schedule 4;
- (b) regulation 12 as applied by paragraph 3(3)(a) of Schedule 4;
- (c) regulation 10(1) or (2) in both cases as applied by paragraph 3(3)(b) of Schedule 4; or
- (d) paragraph 3(5) of Schedule 4.

(2) A person who is guilty of an offence under paragraph (1) shall be liable –

- (a) on summary conviction, to a fine not exceeding £30,000 or to imprisonment for a term not exceeding six months or to both; and
- (b) on conviction on indictment, to a fine or to imprisonment for a term not exceeding five years or to both.

(3) For the purposes of this Regulation, section 20(2) of the Interpretation Act (Northern Ireland) 1954 applies with the omission of the words ‘the liability of whose members is limited’.

(4) Where the affairs of a body corporate are managed by its members, paragraph (3) shall apply in relation to the acts or defaults of a member in connection with his functions of management as if he were a director of the body corporate.

(5) Where the commission by any person of an offence under this regulation is due to the act or default of some other person, that other person may be charged with and convicted of the offence by virtue of this paragraph whether or not proceedings for the offence are taken against the first-mentioned person.

Transitional provisions

18. Schedule 4 (which contains transitional provisions) shall have effect.

Consequential Amendments

19. Schedule 5 (which makes amendments to other statutory provisions consequent on the provisions of these Regulations) shall have effect.