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STATUTORY INSTRUMENTS

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**1995 No. 271**

**The Dual-Use and Related Goods  
(Export Control) Regulations 1995**

**Penalties for failure to comply with these Regulations**

**11.**—(1) Any person who fails to comply with regulation 3(2) above shall be guilty of an offence under these Regulations and may be arrested, and for these purposes section 68(2) of the Customs and Excise Management Act 1979(1) shall not apply.

(2) A person guilty of an offence under paragraph (1) above shall be liable—

(a) on conviction on indictment to a fine or imprisonment for a term not exceeding 2 years, or to both; or

(b) on summary conviction to a fine not exceeding the statutory maximum.

(3) Any person who fails to comply with regulation 7, 9 or 10 above or Article 19(1)(a) or (2) of the Regulation shall be guilty of an offence under these Regulations and shall be liable—

(a) on conviction on indictment to a fine or imprisonment for a term not exceeding 2 years, or to both; or

(b) on summary conviction to a fine not exceeding the statutory maximum.

(4) In England and Wales, subsection (2) of section 24 of the Police and Criminal Evidence Act 1984(2) shall apply to the offence in paragraph (1) above, which is not an arrestable offence by virtue of the term of imprisonment for which a person may be sentenced in respect of it, as if it was mentioned in that subsection; and accordingly such offence shall be an arrestable offence within the meaning of that Act.

(5) In Northern Ireland, paragraph (2) of Article 26 of the Police and Criminal Evidence (Northern Ireland) Order 1989(3) shall apply to the offence in paragraph (1) above, which is not an arrestable offence by virtue of the term of imprisonment for which a person may be sentenced in respect of it, as if it was mentioned in that paragraph; and accordingly such offence shall be an arrestable offence within the meaning of that Order.

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(1) 1979 c. 2.

(2) 1984 c. 60.

(3) S.I. 1989/1341 (N.I. 12).