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STATUTORY INSTRUMENTS

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**2005 No. 2989**

**The Avian Influenza (Preventive Measures) Regulations 2005**

**Enforcement and offences**

**10.**—(1) The following provisions of the Act apply as if these Regulations were an Order made under the Act—

- (a) section 60 (duties and authorities of constables),
- (b) section 66 (refusal and obstruction),
- (c) section 67 (issue of false licences etc.)
- (d) section 68 (issue of licences etc. in blank),
- (e) section 71 (other offences as to licences);
- (f) section 71A, (prosecutions: time limit);
- (g) section 73 (general offences);
- (h) section 75 (penalties for certain summary offences);
- (i) section 77 (money recoverable summarily); and
- (j) section 79(1) to (4) (evidence and procedure).

(2) Section 69 of the Act (falsely obtaining licences etc.) shall apply as if licences under these Regulations were under an Order made under the Act.

(3) Where a body corporate is guilty of an offence under these Regulations and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

- (a) any director, manager, secretary or other similar person of the body corporate, or
- (b) any person who was purporting to act in any such capacity,

he, as well as the body corporate, is guilty of the offence and liable to be proceeded against and punished accordingly.

(4) For the purposes of paragraph (3), “director” in relation to a body corporate managed by its members, means a member of the body corporate.

(5) The local authority shall enforce these Regulations unless directed otherwise by the Secretary of State pursuant to paragraph (6).

(6) The Secretary of State may direct, in relation to cases of a particular description or a particular case, that any duty imposed on a local authority under paragraph (5) shall be discharged by the Secretary of State and not by the local authority.