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STATUTORY INSTRUMENTS

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**1993 No. 1320**

**The Plant Health (Great Britain) Order 1993**

**Offences**

**33.**—(1) A person shall be guilty of an offence if, without reasonable excuse, proof of which shall lie on him,—

- (a) subject to paragraph (2) below, he contravenes or fails to comply with a provision of this Order;
- (b) he contravenes or fails to comply with a provision or condition of a notice served, or licence granted, under this Order;
- (c) he intentionally obstructs an inspector or any person authorised by an inspector in the exercise of his powers given by or under this Order.

(2) Paragraph (1)(a) above shall not apply where an article of any description is landed in Great Britain in contravention of a prohibition in this Order.

(3) A person shall be guilty of an offence if, for the purpose of procuring the authority to issue a plant passport or a replacement plant passport, or obtaining the issue of a phytosanitary certificate, a reforwarding phytosanitary certificate or a licence under this Order, he—

- (a) makes a statement which he knows to be false in a material particular,
- (b) recklessly makes a statement which is false in a material particular, or
- (c) intentionally fails to disclose any material information.

(4) A person shall be guilty of an offence if he dishonestly issues a false plant passport.

(5) A person shall be guilty of an offence if he dishonestly alters a plant passport affixed to a plant, plant product or other object, or re-uses a plant passport.

(6) A person guilty of an offence under paragraph (1), (3), (4) or (5) above shall be liable on summary conviction to a fine not exceeding level 5 on the standard scale.