

Status: This version of this provision is prospective.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Hedgerows Regulations 1997. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

STATUTORY INSTRUMENTS

1997 No. 1160

The Hedgerows Regulations 1997

PROSPECTIVE

Offences

7.—(1) A person who intentionally or recklessly removes, or causes or permits another person to remove, a hedgerow in contravention of regulation 5(1) or (9) is guilty of an offence.

(2) A person who contravenes or fails to comply with regulation 6(2) is guilty of an offence.

(3) Hedgerows to which these Regulations apply are prescribed for the purposes of section 97(4)(d) of the 1995 Act (which relates to offences triable either way).

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

(a) on summary conviction, to a fine not exceeding the statutory maximum; or

(b) on conviction on indictment, to a fine.

(5) A person guilty of an offence under paragraph (2) shall be liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(6) In determining the amount of any fine to be imposed on a person convicted of an offence under paragraph (1) or (2), the court shall in particular have regard to any financial benefit which has accrued or appears likely to accrue to him in consequence of the offence.

(7) Section 331 (offences by corporations) of the 1990 Act shall apply in relation to offences under paragraph (1) or (2) committed by a body corporate as it applies in relation to offences under that Act committed by a body corporate.

Commencement Information

II Reg. 7 in force at 1.6.1997, see [reg. 1](#)

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Changes and effects yet to be applied to :

- Regulations excluded by [S.I. 2016/818 art. 31\(4\)\(5\)](#)
- Regulations excluded by [S.I. 2017/330 art. 22\(4\)](#)
- reg. 7 coming into force by [S.I. 1997/1160 reg. 1](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- reg. 6(4) inserted by [S.I. 2015/377 Sch. para. 35\(3\)](#)