

*Changes to legislation:* There are currently no known outstanding effects for the Hallmarking Act 1973, Cross Heading: Time limit for prosecutions. (See end of Document for details)

## SCHEDULES

### SCHEDULE 3

#### PROVISIONS AS TO OFFENCES

##### *Time limit for prosecutions*

- 2 (1) No prosecution for an offence under this Act shall be commenced after the expiration of three years from the commission of the offence or one year from its discovery by the prosecutor whichever is the earlier.
- [<sup>F1</sup>(2) Notwithstanding anything in section 104 of the <sup>M1</sup>Magistrates' Courts Act 1952, a magistrates' court may try an information for an offence under this Act if the information was laid at any time within twelve months from the commission of the offence.]
- (3) Notwithstanding anything in section 23 of the <sup>M2</sup>Summary Jurisdiction (Scotland) Act 1954 (limitation of time for proceedings in statutory offences) summary proceedings in Scotland for an offence under this Act may be commenced at any time within twelve months from the time when the offence was committed, and subsection (2) of the said section 23 shall apply for the purposes of this sub-paragraph as it applies for the purposes of that section.
- (4) ..... <sup>F2</sup>
- (5) Sub-paragraphs [<sup>F3</sup>(2) and] (3) above do not apply where—
- (a) the offence was one under section 1(1)(a) of this Act and was committed by the making of an oral statement; or
  - (b) the offence was one under section 1(1)(b) of this Act and—
    - (i) the description was applied by an oral statement;or
    - (ii) the description is deemed to have been applied to the article concerned by virtue of subsection (7)(b) of the said section 1 and the article was supplied in pursuance of an oral request.

#### Textual Amendments

- F1** Sch. 3 para. 2(2) repealed (E.W.) by Criminal Law Act 1977 (c. 45, SIF 39:1) s. 65, Sch. 13
- F2** Sch. 3 para. 2(4) repealed by S.I. 1980/704 (N.I. 6), Sch. 2
- F3** Words repealed (E.W.) by Criminal Law Act 1977 (c. 45, SIF 39:1), s. 65, Sch. 13

#### Marginal Citations

- M1** 1952 c. 55.
- M2** 1954 c. 48(39:1).

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