

Changes to legislation: There are currently no known outstanding effects for the Development of Tourism Act 1969, Paragraph 3. (See end of Document for details)

SCHEDULES

SCHEDULE 2

ENFORCEMENT OF CONDITIONS OF GRANT

Failure to comply with condition requiring notification of event on which grant becomes repayable

- 3 (1) Any person who without reasonable excuse fails to comply with any condition subject to which a grant was made to him under this Act requiring him to inform a Tourist Board^{F1} or the National Assembly for Wales of any event whereby the grant becomes repayable in whole or in part shall be guilty of an offence and liable to a fine which, if imposed on summary conviction, shall not exceed [^{F2}level 5 on the standard scale].
- (2)^{F3}
- (3) Summary proceedings in Scotland for an offence under this paragraph shall not be commenced after the expiration of three years from the commission of the offence, but subject to the foregoing limitation and notwithstanding anything in [^{F4}section 331 of the ^{M1}Criminal Procedure (Scotland) Act 1975], such proceedings may be commenced at any time within twelve months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings comes to his knowledge; and [^{F4}subsection (3) of the said section 331] shall apply for the purposes of this sub-paragraph as it applies for the purposes of that section.
- (4) For the purposes of sub-paragraphs . . . ^{F5} (3) of this paragraph, a certificate of . . . ^{F5} the Lord Advocate, . . . ^{F5}, as to the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence of that fact.

Textual Amendments

- F1** Words in Sch. 2 para. 3(1) inserted (E.W.) (23.11.2005) by Wales Tourist Board (Transfer of Functions to the National Assembly for Wales and Abolition) Order 2005 (S.I. 2005/3225), art. 1(1), **Sch. 1 para. 7(3)** (with art. 3(1))
- F2** Words substituted by virtue of (E.W.) Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38, 46** and (S.) Criminal Procedure (Scotland) Act 1975 (c. 21, SIF 39:1), **ss. 289F, 289G**
- F3** Sch. 2 para. 3(2) repealed by Criminal Law Act 1977 (c. 45), **Sch. 13**
- F4** Words substituted by virtue of Criminal Procedure (Scotland) Act 1975 (c. 21), **s. 460(1)(b)**
- F5** Words repealed by Criminal Law Act 1977 (c. 45), **Sch. 13**

Marginal Citations

- M1** 1975 c. 21.

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