



International Carriage of Perishable Foodstuffs Act 1976

1976 CHAPTER 58

Legal proceedings

12 Time limit for commencing summary proceedings for certain offences.

- (1) Summary proceedings in England, Wales and Northern Ireland for an offence under section 7, 9, 10 or 11 of this Act may, subject to subsection (3) below, be commenced at any time within the period of 6 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings comes to his knowledge.
- (2) Summary proceedings in Scotland for any offence as aforesaid may, subject to subsection (3) below, be commenced at any time—
 - (a) within the period of 6 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to justify proceedings comes to his knowledge, or
 - (b) where such evidence was reported to him by the Secretary of State within 6 months after the date on which it came to the knowledge of the Secretary of State,and subsection (3) of [F¹section 136 of the Criminal Procedure (Scotland) Act 1995] shall apply for the purposes of this section as it applies for the purposes of that section.
- (3) Nothing in this section shall authorise the commencement of proceedings for any offence more than 3 years after the date on which the offence was committed.
- (4) For the purposes of this section a certificate signed by or on behalf of the prosecutor or, as the case may be, the Secretary of State and stating the date on which such evidence as aforesaid came to his knowledge shall be conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

Changes to legislation: There are currently no known outstanding effects for the International Carriage of Perishable Foodstuffs Act 1976, Section 12. (See end of Document for details)

Textual Amendments

F1 Words in s. 12(2) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 13**

Changes to legislation:

There are currently no known outstanding effects for the International Carriage of Perishable Foodstuffs Act 1976, Section 12.