



Animal Health Act 1981

1981 CHAPTER 22

PART V

ENFORCEMENT, OFFENCES AND PROCEEDINGS

Offences generally

[^{F1} 71A Prosecutions: time limit

- (1) Despite anything in section 127(1) of the Magistrates' Courts Act 1980 an information relating to an offence under this Act which is triable by a magistrates' court in England and Wales may be so tried if it is laid at any time—
 - (a) within the period of three years starting with the date of the commission of the offence, and
 - (b) within the period of six months starting with the day on which evidence which the prosecutor thinks is sufficient to justify the proceedings comes to his knowledge.
- (2) A certificate by the prosecutor as to the date on which such evidence came to his knowledge is conclusive evidence of that fact.]

Textual Amendments

- F1** S. 71A inserted (E.W.) (14.1.2003) by 2002 c. 42, s. 14; S.I. 2002/3044, art. 2

Modifications etc. (not altering text)

- C1** S. 71A applied (E.) (28.10.2005 at 12.00 p.m.) by [Avian Influenza \(Preventive Measures in Zoos\) Regulations 2005 \(S.I. 2005/2990\)](#), regs. 1, **7(1)(f)**
- C2** S. 71A applied (E.) (28.10.2005 at 12.00 p.m.) by [Avian Influenza \(Preventive Measures\) Regulations 2005 \(S.I. 2005/2989\)](#), regs. 1, **10(1)(f)**
- C3** S. 71A applied (W.) (28.10.2005 at 17:20) by [The Avian Influenza \(Preventive Measures\) \(Wales\) Regulations 2005 \(S.I. 2005/2985\)](#), regs. 1, **10(1)(f)**

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- C4** S. 71A applied (W.) (28.10.2005 at 17:20) by [The Avian Influenza \(Preventive Measures in Zoos\) \(Wales\) Regulations 2005 \(S.I. 2005/2984\)](#), regs. 1, **7(1)(f)**
- C5** S. 71A applied (E.) (9.12.2005) by [Avian Influenza \(Preventive Measures\) \(No.2\) Regulations 2005 \(S.I. 2005/3394\)](#), regs. 1(2), **13**
- C6** S. 71A applied (W.) (9.12.2005) by [The Avian Influenza \(Preventive Measures in Zoos\) \(Wales\) \(No. 2\) Regulations 2005 \(S.I. 2005/3385\)](#), regs. 1, **7(1)**
- C7** S. 71A applied (W.) (9.12.2005) by [The Avian Influenza \(Preventive Measures\) \(Wales\) \(No. 2\) Regulations 2005 \(S.I. 2005/3384\)](#), regs. 1, **10(1)**
- C8** S. 71A applied (with modifications) (W.) (1.2.2006) by [The Foot-and-Mouth Disease \(Control of Vaccination\) \(Wales\) Regulations 2006 \(S.I. 2006/180\)](#), regs. 1(2), **36(1)**
- C9** S. 71A modified (E.) (23.2.2006) by [Foot-and-Mouth Disease \(Control of Vaccination\) \(England\) Regulations 2006 \(S.I. 2006/183\)](#), regs. 1(2), **37(1)(f)**
- C10** S. 71A applied (with modifications) (W.) (6.7.2006) by [The Avian Influenza \(Vaccination\) \(Wales\) Regulations 2006 \(S.I. 2006/1761\)](#), regs. 1(2), **18(1)**
- C11** S. 71A applied (W.) (13.11.2006) by [Avian Influenza \(Preventive Measures\) \(Wales\) Regulations 2006 \(S.I. 2006/2803\)](#), regs. 1(1), **20(1)(e)**
- C12** S. 71A applied (E.) (13.11.2006) by [The Avian Influenza \(Preventive Measures\) \(England\) Regulations 2006 \(S.I. 2006/2701\)](#), regs. 1(2), **20(1)(e)**

72 Offences made and declared by and under this Act.

A person is guilty of an offence against this Act who, without lawful authority or excuse, proof of which shall lie on him—

- (a) does or omits anything the doing or omission of which is declared by this Act or by an order of the Minister to be an offence by that person against this Act; or
- (b) does anything which by this Act or such an order is made or declared to be not lawful.

73 General offences.

A person is guilty of an offence against this Act who, without lawful authority or excuse, proof of which shall lie on him—

- (a) does anything in contravention of this Act, or of an order of the Minister,^[F2] or of regulations made by the Scottish Ministers under this Act,] or of a regulation of a local authority; or
- (b) fails to give, produce, observe or do any notice, licence, rule or thing which by this Act or such an order or regulation he is required to give, produce, observe or do.

Textual Amendments

- F2** Words in s. 73(a) inserted (S.) (6.10.2006) by [Animal Health and Welfare \(Scotland\) Act 2006 \(asp 11\)](#), s. 55(1), **Sch. 2 para. 3(1)** (with s. 54); S.S.I. 2006/482, art. 2

Modifications etc. (not altering text)

- C13** S. 73 applied (E.) (28.10.2005 at 12.00 p.m.) by [Avian Influenza \(Preventive Measures\) Regulations 2005 \(S.I. 2005/2989\)](#), regs. 1, **10(1)(g)**
- C14** S. 73 applied (W.) (28.10.2005 at 17:20) by [The Avian Influenza \(Preventive Measures in Zoos\) \(Wales\) Regulations 2005 \(S.I. 2005/2984\)](#), regs. 1, **7(1)(g)**

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- C15** S. 73 applied (E.) (28.10.2005 at 12.00 p.m.) by Avian Influenza (Preventive Measures in Zoos) Regulations 2005 (S.I. 2005/2990), regs. 1, **7(1)(g)**
- C16** S. 73 applied (S.) (28.10.2005 at midnight) by Avian Influenza (Preventive Measures) (Scotland) Regulations 2005 (S.S.I. 2005/530), regs. 1(1), **10(1)(g)**
- C17** S. 73 applied (W.) (28.10.2005 at 17:20) by The Avian Influenza (Preventive Measures) (Wales) Regulations 2005 (S.I. 2005/2985), regs. 1, **10(1)(g)**
- C18** S. 73 applied (S.) (28.10.2005 at midnight) by Avian Influenza (Preventive Measures in Zoos) (Scotland) Regulations 2005 (S.S.I. 2005/531), regs. 1(1), **7(1)(g)**
- C19** S. 73 applied (W.) (9.12.2005) by The Avian Influenza (Preventive Measures in Zoos) (Wales) (No. 2) Regulations 2005 (S.I. 2005/3385), regs. 1, **7(1)**
- C20** S. 73 applied (W.) (9.12.2005) by The Avian Influenza (Preventive Measures) (Wales) (No. 2) Regulations 2005 (S.I. 2005/3384), regs. 1, **10(1)**
- C21** S. 73 applied (E.) (9.12.2005) by Avian Influenza (Preventive Measures) (No.2) Regulations 2005 (S.I. 2005/3394), regs. 1(2), **13**
- C22** S. 73 applied (with modifications) (W.) (1.2.2006) by The Foot-and-Mouth Disease (Control of Vaccination) (Wales) Regulations 2006 (S.I. 2006/180), regs. 1(2), **36(1)**
- C23** S. 73 applied (with modifications) (S.) (23.2.2006) by Foot and Mouth Disease (Slaughter and Vaccination) (Scotland) Regulations 2006 (S.S.I. 2006/45), regs. 1(1), **41(1)(g)**
- C24** S. 73 modified (E.) (23.2.2006) by Foot-and-Mouth Disease (Control of Vaccination) (England) Regulations 2006 (S.I. 2006/183), regs. 1(2), **37(1)(g)**
- C25** S. 73 applied (with modifications) (S.) (1.7.2006) by Avian Influenza (Slaughter and Vaccination) (Scotland) Regulations 2006 (S.S.I. 2006/337), regs. 1(2), **26(1)(h)**
- C26** S. 73 applied (with modifications) (W.) (6.7.2006) by The Avian Influenza (Vaccination) (Wales) Regulations 2006 (S.I. 2006/1761), regs. 1(2), **18(1)**
- C27** S. 73 applied (W.) (13.11.2006) by Avian Influenza (Preventive Measures) (Wales) Regulations 2006 (S.I. 2006/2803), regs. 1(1), **20(1)(f)**
- C28** S. 73 applied (E.) (13.11.2006) by The Avian Influenza (Preventive Measures) (England) Regulations 2006 (S.I. 2006/2701), regs. 1(2), **20(1)(f)**

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