Status: *Point in time view as at 25/10/1999.*
Changes to legislation: *There are currently no known outstanding effects for the Employment Relations Act 1999, Paragraph 5. (See end of Document for details)*

SCHEDULES

SCHEDULE 7

EMPLOYMENT AGENCIES

Commencement Information

I1 Sch. 7 partly in force; Sch. 7 not in force at Royal Assent see s. 45; Sch. 7 paras. 1, 2, 6, 8 in force and para. 5 in force for certain purposes (25.10.1999) by S.I. 1999/2830, **art. 2(1)(2)** (with art. 3)

Offences

5 After section 11 there shall be inserted—

"**11A Offences: extension of time limit.**

(1) For the purposes of subsection (2) of this section a relevant offence is an offence under section 3B, 5(2), 6(2), 9(4)(b) or 10(2) of this Act for which proceedings are instituted by the Secretary of State.

(2) Notwithstanding section 127(1) of the [M1]Magistrates' Courts Act 1980 (information to be laid within 6 months of offence) an information relating to a relevant offence which is triable by a magistrates' court in England and Wales may be so tried if it is laid at any time—

(a) within 3 years after the date of the commission of the offence, and

(b) within 6 months after the date on which evidence sufficient in the opinion of the Secretary of State to justify the proceedings came to his knowledge.

(3) Notwithstanding section 136 of the [M2]Criminal Procedure (Scotland) Act 1995 (time limit for prosecuting certain statutory offences) in Scotland proceedings in respect of an offence under section 3B, 5(2), 6(2), 9(4)(b) or 10(2) of this Act may be commenced at any time—

(a) within 3 years after the date of the commission of the offence, and

(b) within 6 months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings came to his knowledge.

(4) For the purposes of this section a certificate of the Secretary of State or Lord Advocate (as the case may be) as to the date on which evidence came to his knowledge is conclusive evidence.

11B Offences: cost of investigation.

The court in which a person is convicted of an offence under this Act may order him to pay to the Secretary of State a sum which appears to the court not to exceed the costs of the investigation which resulted in the conviction."

Commencement Information

I1 Sch. 7 para. 5 partly in force; Sch. 7 para. 5 not in force at Royal Assent see s. 45; Sch. 7 para. 5 in force at 25.10.1999 for specifed purposes by S.I. 1999/2830, art. 2(1), **Sch. 1 Pt. I**

Marginal Citations

M1 1980 c. 43.

M2 1995 c. 46.

Status:
Point in time view as at 25/10/1999.

Changes to legislation:
There are currently no known outstanding effects for the Employment Relations Act 1999, Paragraph 5.