



Protection of Badgers Act 1992

1992 CHAPTER 51

Enforcement and penalties

[^{F1}12A Time limit for bringing summary proceedings

(1) Summary proceedings for an offence under [^{F2}a provision mentioned in subsection (1A)] may, subject to subsection (2) below, be brought within a period of 6 months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor's knowledge.

[The provisions referred to in subsection (1) are—

- ^{F3}(1A) (a) section 1(3), (5) and (6) (in relation to an act made unlawful by section 1(3)),
(b) section 2(1)(d) and (3) (in relation to an act made unlawful by section 2(1)(d)),
(c) section 3,
(d) section 4,
(e) section 5,
(f) section 10(8).]

(2) No such proceedings may be brought more than 3 years—

- (a) after the commission of the offence, or
(b) in the case of a continuous contravention, after the last date on which the offence was committed.

(3) A certificate signed by or on behalf of the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge is conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed is to be treated as being so signed unless the contrary is proved.]

Textual Amendments

- F1** Ss. 12A, 12B inserted (S.) (1.10.2004) by [Nature Conservation \(Scotland\) Act 2004 \(asp 6\)](#) , s. 59(2) , [Sch. 6 para. 26\(10\)](#) ; S.S.I. 2004/407 , art. 2(b)
- F2** Words in s. 12A(1) substituted (S.) (30.11.2020) by [Animals and Wildlife \(Penalties, Protections and Powers\) \(Scotland\) Act 2020 \(asp 14\)](#) , [ss. 8\(3\)\(a\)](#) , 22(2); S.S.I. 2020/379 , reg. 2(1) , sch. (with reg. 3)

Changes to legislation: There are currently no known outstanding effects for the Protection of Badgers Act 1992, Section 12A. (See end of Document for details)

F3 S. 12A(1A) inserted (S.) (30.11.2020) by [Animals and Wildlife \(Penalties, Protections and Powers\) \(Scotland\) Act 2020 \(asp 14\)](#), **ss. 8(3)(b)**, 22(2); S.S.I. 2020/379, reg. 2(1), sch. (with reg. 3)

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