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DRAFT STATUTORY INSTRUMENTS

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**2006 No.**

The Water and Sewerage Services  
(Northern Ireland) Order 2006

PART XII

MISCELLANEOUS AND SUPPLEMENTAL

*Supplemental*

**Prosecutions**

**299.**—(1) Proceedings in respect of an offence created by or under any of the relevant sewerage provisions shall not, without the written consent of the Director of Public Prosecutions for Northern Ireland, be taken by any person other than—

- (a) a party aggrieved;
- (b) a sewerage undertaker; or
- (c) a body whose function it is to enforce the provisions in question.

(2) Proceedings in respect of an offence created by or under Chapter II or III of Part IV or Article 226 or 227 shall not, without the written consent of the Director of Public Prosecutions for Northern Ireland, be taken by any person other than—

- (a) a party aggrieved;
- (b) a water undertaker; or
- (c) a body whose function it is to enforce the provisions in question.

(3) Notwithstanding anything in Article 19(1)(a) of the Magistrates' Courts (Northern Ireland) Order 1981, proceedings for an offence under this Order which is triable only summarily may be brought at any time within 6 months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings comes to the knowledge of the prosecutor; but no such proceedings shall be brought by virtue of this paragraph more than 2 years after the commission of the offence.

(4) For the purposes of paragraph (3) a certificate signed on behalf of the prosecutor and stating the date on which such evidence 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.