



# Auctions (Bidding Agreements) Act 1969

## 1969 CHAPTER 56

### **1 Offences under Auctions (Bidding Agreements) Act 1927 to be indictable as well as triable summarily, and extension of time for bringing summary proceedings.**

- (1) Offences under section 1 of the <sup>M1</sup>Auctions (Bidding Agreements) Act 1927 (which, as amended by the <sup>M2</sup>Criminal Justice Act 1967, renders a dealer who agrees to give, or gives, or offers a gift or consideration to another as an inducement or reward for abstaining, or for having abstained, from bidding at a sale by auction punishable on summary conviction with a fine not exceeding £400 or imprisonment for a term not exceeding six months, or both, and renders similarly punishable a person who agrees to accept, or accepts, or attempts to obtain from a dealer any such gift or consideration as aforesaid) shall be triable on indictment as well as summarily; and the penalty that may be imposed on a person on conviction on indictment of an offence under that section shall be imprisonment for a term not exceeding two years or a fine or both.
- [<sup>F1</sup>(2) Notwithstanding anything in section 104 of the <sup>M3</sup>Magistrates' Courts Act 1952, an information relating to an offence under the said section 1 may be tried by a magistrates' court in England or Wales if it is laid at any time within five years after the commission of the offence and within three months after the date on which evidence sufficient in the opinion of the Attorney General to justify the proceedings comes to his knowledge.]
- (3) Summary proceedings in Scotland for an offence under the said section 1 shall not be commenced after the expiration of five years from the commission of the offence, but, subject to the foregoing limitation and notwithstanding anything in section 23 of the <sup>M4</sup>Summary Jurisdiction (Scotland) Act 1954, such proceedings may be commenced at any time within three months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings comes to his knowledge, and subsection (2) of the said section 23 shall apply for the purposes of this subsection as it applies for the purposes of that section.
- [<sup>F1</sup>(4) For the purposes of subsection (2) above, a certificate of the Attorney General as to the date on which evidence sufficient in his opinion to justify proceedings came to his knowledge shall be conclusive evidence and so, for the purposes of the last foregoing subsection, shall be a corresponding certificate of the Lord Advocate.]

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**Changes to legislation:** There are currently no known outstanding effects for the Auctions (Bidding Agreements) Act 1969, Section 1. (See end of Document for details)

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(5) This section applies only to offences committed after the commencement of this Act.

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**Textual Amendments**

**F1** S. 1(2)(4) repealed (E.W.) by [Criminal Law Act 1977 \(c. 45, SIF 39:1\)](#), s. 65(5), [Sch. 13](#)

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**Marginal Citations**

**M1** 1927 c. 12.

**M2** 1967 c. 80.

**M3** 1952 c. 55.

**M4** 1954 c. 48.

**Changes to legislation:**

There are currently no known outstanding effects for the Auctions (Bidding Agreements) Act 1969, Section 1.