



# Animals (Scientific Procedures) Act 1986

## 1986 CHAPTER 14

### *Miscellaneous and supplementary*

#### **26 Prosecutions.**

- (1) No proceedings for—
  - (a) an offence under this Act; or
  - (b) an offence under [<sup>F1</sup>any of sections 4, 5, 6(1) and (2) and 7 to 9 of the Animal Welfare Act 2006] which is alleged to have been committed in respect of an animal at a [<sup>F2</sup>place specified in a section 2C licence] , shall be brought in England and Wales except by or with the consent of the Director of Public Prosecutions.
- (2) Summary proceedings for an offence under this Act may (without prejudice to any jurisdiction exercisable apart from this subsection) be taken against any person at any place at which he is for the time being.
- (3) Notwithstanding anything in section 127(1) of the <sup>M1</sup>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 within three years after the commission of the offence and within six months after the date on which evidence sufficient in the opinion of the Director of Public Prosecutions to justify the proceedings comes to his knowledge.
- (4) Notwithstanding anything in [<sup>F3</sup>section 136 of the Criminal Procedure (Scotland) Act 1995], summary proceedings for an offence under this Act may be commenced in Scotland at any time within three years after the commission of the offence and within six 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 (3) of that section shall apply for the purposes of this subsection as it applies for the purposes of that section.
- (5) For the purposes of subsections (3) and (4) above a certificate of the Director of Public Prosecutions or, as the case may be, the Lord Advocate as to the date on which such evidence as is there mentioned came to his knowledge shall be conclusive evidence of that fact.

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**Changes to legislation:** There are currently no known outstanding effects for the Animals (Scientific Procedures) Act 1986, Section 26. (See end of Document for details)

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#### Textual Amendments

- F1** Words in s. 26(1)(b) substituted (27.3.2007 for W., 6.4.2007 for E.) by [Animal Welfare Act 2006](#) (c. 45), s. 68(3), **Sch. 3 para. 12(2)** (with ss. 1(2), 58(1), 59, 60); S.I. 2007/499, art. 2(2)(1); S.I. 2007/1030, art. 2(1)(l)
- F2** Words in s. 26(1)(b) substituted (1.1.2013) by [The Animals \(Scientific Procedures\) Act 1986 Amendment Regulations 2012](#) (S.I. 2012/3039), regs. 1(2), **26(13)** (with Sch. 3)
- F3** Words in s. 26(4) substituted (1.4.1996) by 1995 c. 40, ss. 5, 7(2), **Sch. 4 para. 59**

#### Marginal Citations

- M1** 1980 c. 43.

**Changes to legislation:**

There are currently no known outstanding effects for the *Animals (Scientific Procedures) Act 1986*, Section 26.