



# Criminal Justice and Courts Act 2015

## 2015 CHAPTER 2

### PART 3

#### COURTS AND TRIBUNALS

##### *Time limit for bringing certain criminal proceedings*

#### **51 Offence of improper use of public electronic communications network**

(1) In section 127 of the Communications Act 2003 (improper use of public electronic communications network), at the end insert—

“(5) An information or complaint relating to an offence under this section may be tried by a magistrates’ court in England and Wales or Northern Ireland if it is laid or made—

- (a) before the end of the period of 3 years beginning with the day on which the offence was committed, and
- (b) before the end of the period of 6 months beginning with the day on which evidence comes to the knowledge of the prosecutor which the prosecutor considers sufficient to justify proceedings.

(6) Summary proceedings for an offence under this section may be commenced in Scotland—

- (a) before the end of the period of 3 years beginning with the day on which the offence was committed, and
- (b) before the end of the period of 6 months beginning with the day on which evidence comes to the knowledge of the prosecutor which the prosecutor considers sufficient to justify proceedings,

and section 136(3) of the Criminal Procedure (Scotland) Act 1995 (date when proceedings deemed to be commenced) applies for the purposes of this subsection as it applies for the purposes of that section.

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*Status: This is the original version (as it was originally enacted).*

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- (7) A certificate of a prosecutor as to the date on which evidence described in subsection (5)(b) or (6)(b) came to his or her knowledge is conclusive evidence of that fact.”
- (2) The amendment made by this section applies only in relation to an offence committed on or after the day on which it comes into force.