
STATUTORY INSTRUMENTS

2010 No. 490

The Conservation of Habitats and Species Regulations 2010

PART 7

ENFORCEMENT

Miscellaneous

Proceedings for offences: venue and time limits

123.—(1) For the purposes of conferring jurisdiction, an offence specified in paragraph (5) is deemed to have been committed in any place where the offender is found or to which the offender is first brought after the commission of the offence.

(2) Summary proceedings for such an offence may be commenced within the period of six months from the date on which the prosecutor first knows of evidence sufficient, in the prosecutor's opinion, to justify proceedings.

(3) But no such proceedings may be commenced more than two years after the commission of the offence.

(4) For the purposes of paragraph (2)—

- (a) a certificate signed by or on behalf of the prosecutor and stating the date on which the prosecutor first knew of evidence sufficient to justify the proceedings is conclusive evidence of that fact; and
- (b) a certificate stating that matter and purporting to be so signed is deemed to be so signed unless the contrary is proved.

(5) The offences specified for the purposes of this regulation are—

- (a) a species offence;
- (b) an offence under regulation 52 (introduction of new species from ships);
- (c) an offence under regulation 57 (false statements made for obtaining licence); and
- (d) an offence under regulation 116(1) or (2) (attempts and possession of means of committing offence).