
STATUTORY INSTRUMENTS

2013 No. 233

**The Timber and Timber Products
(Placing on the Market) Regulations 2013**

PART 3

Enforcement

Penalties

13.—(1) A person guilty of an offence under paragraph (a), (b) or (c) of regulation 4 is liable—

- (a) on summary conviction to a fine not exceeding the statutory maximum or to a term of imprisonment not exceeding three months, or to both;
- (b) on conviction on indictment, to a fine or to a term of imprisonment not exceeding two years, or to both.

(2) A person guilty of an offence under paragraph (d), (e), (f) or (g) of regulation 4 is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

(3) For the purposes of paragraph (1), the reference to the statutory maximum in relation to a conviction in Scotland shall be read as meaning £5,000.

(4) Notwithstanding section 127 of the Magistrates' Courts Act 1980 (limitation of time) or article 19 of the Magistrates' Courts (Northern Ireland) Order 1981 (time within which complaint charging offence must be made to give jurisdiction), in England, Wales and Northern Ireland a magistrates' courts may—

- (a) in the case of England and Wales, try an information, or
- (b) in the case of Northern Ireland, try a complaint

in respect of an offence under regulation 4 if the relevant condition in paragraph (5) is met.

(5) The condition is that—

- (a) in the case of England and Wales, the information is laid, or
- (b) in the case of Northern Ireland, the complaint is made

within three years from the date of the offence or within one year from the discovery of the offence by the prosecutor, whichever is earlier.

(6) Notwithstanding section 136 of the Criminal Procedure (Scotland Act) 1995⁽¹⁾ (time limit for certain offences), in Scotland summary proceedings for an offence under regulation 4 may be commenced within three years from the date of the offence or within one year from the discovery of the offence by the prosecutor, whichever is earlier.

(7) For the purposes of paragraph (6), section 136(3) of the Criminal Procedure (Scotland) Act 1995 shall apply as it applies for the purposes of that section.

(8) For the purposes of this regulation—

(1) 1995 c. 46.

- (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.
- (9) In proceedings in a magistrates' court in Northern Ireland relating to a notice of remedial actions under regulation 11, the Magistrates' Courts (Northern Ireland) Order 1981 applies.

Commencement Information

II Reg. 13 in force at 3.3.2013, see [reg. 1\(2\)](#)

Changes to legislation:

There are currently no known outstanding effects for the The Timber and Timber Products (Placing on the Market) Regulations 2013, Section 13.