



# Animal Health and Welfare (Scotland) Act 2006 2006 asp 11

## PART 1

### ANIMAL HEALTH

#### *Miscellaneous*

#### 14 Penalties and time limits

For section 75 (punishment of summary offences not otherwise provided for) of the 1981 Act there is substituted—

**“75 Penalties and time limits for certain offences: Scotland**

- (1) This section applies to any offence under this Act for which no penalty is specified by any other provision of this Act.
- (2) A person guilty of an offence to which this section applies is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding level 5 on the standard scale or to both.
- (3) Proceedings for an offence to which this section applies may be brought within the period of 6 months from the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to the prosecutor’s knowledge.
- (4) No such proceedings may be brought more than 3 years—
  - (a) after the commission of the offence; or
  - (b) in the case of an offence involving a continuous contravention, after the last date on which the offence was committed.
- (5) It shall be competent in a prosecution of an offence involving a continuous contravention to include the entire period during which the contravention occurred.

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*Status: This is the original version (as it was originally enacted).*

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- (6) For the purposes of this section proceedings shall be deemed to be commenced on the date on which a warrant to apprehend or to cite the accused is granted provided that the warrant is executed without undue delay.
- (7) A certificate signed by or on behalf of the prosecutor and stating the date on which such evidence came to the prosecutor's knowledge is conclusive evidence of that fact; and a certificate stating that matter and purporting to be so signed is to be treated as being so signed unless the contrary is proved.”.