

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Domestic Fire Safety (Wales) Measure 2011, Cross Heading: Time limit for prosecution. (See end of Document for details)

PROSPECTIVE

SCHEDULE 1

ENFORCEMENT

Time limit for prosecution

- 2 (1) Despite anything in section 127(1) of the Magistrates' Court Act 1980 (c. 43), an information relating to an offence under paragraph 1 may be tried by a magistrates' court if it is laid at any time—
- (a) within the period of two years beginning with the day on which the offence is committed, and
 - (b) within the period of six months beginning with the relevant date.
- (2) In sub-paragraph (1)(b), “the relevant date” (“y dyddiad perthnasol”) means the date on which evidence sufficient to justify the proceedings comes to the knowledge of the person commencing the proceedings.
- (3) In the case of proceedings commenced by a local authority—
- (a) evidence is to be regarded for the purpose of sub-paragraph (2) above as sufficient to justify the proceedings if in the opinion of the proper officer or an authorised officer it is sufficient to justify the proceedings, and
 - (b) a certificate of the proper officer or, as the case may be, that authorised officer as to the date on which evidence which, in the opinion of that officer, was sufficient to justify the proceedings came to the knowledge of the person commencing the proceedings is to be conclusive evidence of that fact.

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