



Fair Trading Act 1973

1973 CHAPTER 41

PART XII

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

130 Notice to Director of intended prosecution

- (1) Where a local weights and measures authority in England or Wales proposes to institute proceedings for an offence under section 23 of this Act, or for an offence under the Trade Descriptions Act 1968, other than an offence under section 28(5) or section 29 of that Act, it shall, as between the authority and the Director, be the duty of the authority to give to the Director notice of the intended proceedings, together with a summary of the facts on which the charges are to be founded, and to postpone institution of the proceedings until either—
 - (a) twenty-eight days have elapsed since the giving of that notice, or
 - (b) the Director has notified the authority that he has received the notice and the summary of the facts.
- (2) In relation to offences under the Trade Descriptions Act 1968, the preceding subsection shall have effect subject to the transitional provisions having effect by virtue of section 139 of this Act.