

SCHEDULES

SCHEDULE 1

SUPPLEMENTARY PROVISIONS IN CONNECTION WITH PROCEEDINGS FOR OFFENCES UNDER SECTIONS 17 AND 18(4)

Proceedings in England and Wales

- 2 (1) Where—
- (a) it appears that an offence under section 17 or 18(4) of this Act has been committed in respect of which proceedings might be taken in England and Wales against some person (referred to below in this paragraph as “the original offender”), and
 - (b) a person proposing to take proceedings in respect of the offence is reasonably satisfied—
 - (i) that the offence of which complaint is made was due to an act or default of some other person, being an act or default which took place in England and Wales, and
 - (ii) that the original offender could establish a defence under paragraph 1 of this Schedule,the proceedings may be taken against that other person without proceedings first being taken against the original offender.
- (2) In any such proceedings the accused may be charged with, and on proof that the contravention was due to his act or default be convicted of, the offence with which the original offender might have been charged.