

## SCHEDULES

### SCHEDULE 1

Section 22.

#### CERTIFICATES AS TO PROOF OF CERTAIN MATTERS

1 Schedule 1 to the Criminal Justice (Scotland) Act 1980 (which makes provision as regards the sufficiency of evidence by certificate in certain routine matters) shall be amended as follows.

2 Before the entry relating to the Wireless Telegraphy Act 1949 there shall be inserted—

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“THE PARKS REGULATION ACTS 1872 to 1974	An officer authorised to do so by the Secretary of State.	That, on a date specified in the certificate— (a) copies of regulations made under those Acts, prohibiting such activity as may be so specified, were displayed at a location so specified; (b) in so far as those regulations prohibited persons from carrying out a specified activity in the park without written permission, such permission had not been given to a person so specified.”.
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3 After the entry relating to the Wireless Telegraphy Act 1949 there shall be inserted—

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“THE BUILDING (SCOTLAND) ACT 1959 (c. 24) Section 6(1) (prohibition of construction, demolition or change of use of building without warrant).	An officer of a local authority authorised to do so by the authority.	In relation to a building specified in the certificate, that on a date so specified, there had not been obtained a warrant under section 6 of that Act for construction, demolition or, as the case may be, change of use.
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Section 9(5) (offence of occupying or using a building before certificate of completion issued).	An officer of a local authority authorised to do so by the authority.	That, on a date specified in the certificate— (a) a certificate of completion under section 9 of that Act had not been issued in respect of a building so specified; and (b) written permission for occupation or use of the building so specified, had not been granted under subsection (6) of that section by the local authority.”.
4	In the entry relating to the Firearms Act 1968, for the words in column 2 there shall be substituted “As respects the matters specified in paragraph (a) of column 3, a constable or a person employed by a police authority, if the constable or person is authorised to do so by the chief constable of the police force maintained for the authority’s area; and as respects the matters specified in paragraph (b) of column 3, an officer authorised to do so by the Secretary of State.”.	
5	After the entry relating to the Social Security Act 1975 there shall be inserted—	
	“THE CRIMINAL PROCEDURE (SCOTLAND) ACT 1975 (c. 21) Section 338(2) (offence of failure of accused to appear at diet after due notice).	The clerk of court.  That, on a date specified in the certificate, he gave a person so specified, in a manner so specified, notice of the time and place appointed for a diet so specified.”.
6	In the entry relating to the Bail etc. (Scotland) Act 1980, for the words in column 3 there shall be substituted—	
	“In relation to a person specified in the certificate, that— (a) an order granting bail under that Act was made on a date so specified by a court so specified; (b) the order or a condition of it so specified was in force on a date so specified;	

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			(c) notice of the time and place appointed for a diet so specified was given to him in a manner so specified;
			(d) as respects a diet so specified, he failed to appear.”.
7	After the entry relating to the Forgery and Counterfeiting Act 1981 there shall be inserted—		
	“THE WILDLIFE AND COUNTRYSIDE ACT 1981 (c. 69) Sections 1, 5, 6(1) to (3), 7, 8, 9(1), (2), (4) and (5), 11(1) and (2), 13(1) and (2) and 14 (certain offences relating to protection of wild animals or wild plants).	An officer of the appropriate authority (within the meaning of section 16(9) of that Act) authorised to do so by the authority.	In relation to a person specified in the certificate that, on a date so specified, he held, or as the case may be did not hold, a licence under section 16 of that Act and, where he held such a licence— (a) the purpose for which the licence was granted; and (b) the terms and conditions of the licence.”.
8	After the entry relating to the Video Recordings Act 1984 there shall be inserted the following entries—		
	“THE ROAD TRAFFIC ACT 1988 (c. 52) Section 165(3) (offence of failure to give name and address and to produce vehicle documents when required by constable).	A constable.	In relation to a person specified in the certificate, that he failed, by such date as may be so specified, to produce such documents as may be so specified at a police station so specified.
	THE CONTROL OF POLLUTION (AMENDMENT) ACT 1989 (c. 14) Section 1 (offence of transporting controlled waste without registering).	An officer of a regulation authority within the meaning of that Act authorised to do so by the authority.	In relation to a person specified in the certificate, that on a date so specified he was not a registered carrier of controlled waste within the meaning of that Act.
	THE ENVIRONMENTAL	An officer of a waste regulation authority	In relation to a person specified in the certificate

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<p>PROTECTION ACT  <a href="#">1990 (c. 43)</a>            Section 33(1)(a) and            (b) (prohibition on            harmful depositing,            treatment or disposal            of waste).</p>	<p>within the meaning of that            Act authorised to do so by            the authority.</p>	<p>that, on a date so            specified, he held, or            as the case may be he            did not hold, a waste            management licence.</p>
<p>Section 34(1)(c) (duty of            care as respects transfer            of waste).</p>	<p>An officer of a waste            regulation authority            within the meaning of that            Act authorised to do so by            the authority.</p>	<p>In relation to a person            specified in the            certificate, that on a date            so specified he was not            an authorised person            within the meaning of            section 34(3)(b) or (d) of            that Act.”.</p>

9      After the entry relating to the Social Security Administration Act 1992 there shall be inserted—

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<p>“THE CRIMINAL            JUSTICE AND PUBLIC            ORDER ACT <a href="#">1994</a>            (c. 33)            Paragraph 5 of            Schedule 6 (offence            of making false            statements to obtain            certification as            prisoner custody            officer).</p>	<p>An officer authorised to            do so by the Secretary of            State.</p>	<p>That—</p> <ul style="list-style-type: none"> <li>(a) on a date specified              in the certificate,              an application for              a certificate under              section 114 of that              Act was received              from a person so              specified;</li> <li>(b) the application              contained a              statement so              specified;</li> <li>(c) a person so specified              made, on a date              so specified,              a statement in              writing in terms so              specified.”.</li> </ul>
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