

Changes to legislation: There are currently no known outstanding effects for the Natural Environment and Rural Communities Act 2006, SCHEDULE 6. (See end of Document for details)

SCHEDULES

SCHEDULE 6

Section 53

WILDLIFE OFFENCES: TIME LIMITS FOR PROCEEDINGS

Destructive Imported Animals Act 1932 (c. 12)

1 In section 6 (offences relating to importation etc. of musk rats without licence etc.), after subsection (2) insert—

“(3) Proceedings in England and Wales for an offence under this section may be brought within the period of 6 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge.

(4) But subsection (3) does not authorise the commencement of proceedings for an offence more than 2 years after the date on which the offence was committed.

(5) For the purposes of subsection (3), a certificate signed by or on behalf of the prosecutor and stating the date on which evidence sufficient in his opinion to warrant the proceedings came to his knowledge shall be conclusive evidence of that fact.

(6) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.”

Commencement Information

II Sch. 6 para. 1 in force at 31.5.2006 by S.I. 2006/1382, art. 2

Conservation of Seals Act 1970 (c. 30)

2 In section 5 (penalties for offences), after subsection (2) insert—

“(3) Proceedings in England and Wales for an offence under this Act may be brought within the period of 6 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge.

(4) But subsection (3) does not authorise the commencement of proceedings for an offence more than 2 years after the date on which the offence was committed.

(5) For the purposes of subsection (3), a certificate signed by or on behalf of the prosecutor and stating the date on which evidence sufficient in his opinion to warrant the proceedings came to his knowledge shall be conclusive evidence of that fact.

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- (6) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.”

Commencement Information

I2 Sch. 6 para. 2 in force at 31.5.2006 by S.I. 2006/1382, art. 2

Wildlife and Countryside Act 1981 (c. 69)

- 3 (1) Amend section 20 (summary prosecutions) as follows.
- (2) In subsection (2), for “Summary proceedings for an offence under this Part” substitute “ Proceedings for a summary offence under this Part ”.
- (3) In the heading, for “Summary prosecutions” substitute “ Proceedings for summary offences ”.

Commencement Information

I3 Sch. 6 para. 3 in force at 31.5.2006 by S.I. 2006/1382, art. 2

- 4 After section 51 insert—

“51A Summary prosecutions

- (1) Proceedings in England and Wales for a summary offence under this Part may be brought within the period of 6 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge.
- (2) But subsection (1) does not authorise the commencement of proceedings for an offence more than 2 years after the date on which the offence was committed.
- (3) For the purposes of this section, a certificate signed by or on behalf of the prosecutor and stating the date on which evidence sufficient in his opinion to warrant the proceedings came to his knowledge shall be conclusive evidence of that fact.
- (4) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.”

Commencement Information

I4 Sch. 6 para. 4 in force at 31.5.2006 by S.I. 2006/1382, art. 2

Deer Act 1991 (c. 54)

- 5 In section 9 (penalties for offences relating to deer), after subsection (2) insert—

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- “(3) Proceedings for an offence under this Act may be brought within the period of 6 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge.
- (4) But subsection (3) does not authorise the commencement of proceedings for an offence more than 2 years after the date on which the offence was committed.
- (5) For the purposes of subsection (3), a certificate signed by or on behalf of the prosecutor and stating the date on which evidence sufficient in his opinion to warrant the proceedings came to his knowledge shall be conclusive evidence of that fact.
- (6) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.”

Commencement Information

I5 Sch. 6 para. 5 in force at 31.5.2006 by S.I. 2006/1382, art. 2

Protection of Badgers Act 1992 (c. 51)

6 After section 12 insert—

“12ZA Time limit for bringing summary proceedings (England and Wales)

- (1) Proceedings in England and Wales for a summary offence under this Act may be brought within the period of 6 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to warrant the proceedings came to his knowledge.
- (2) But subsection (1) does not authorise the commencement of proceedings for an offence more than 2 years after the date on which the offence was committed.
- (3) For the purposes of this section, a certificate signed by or on behalf of the prosecutor and stating the date on which evidence sufficient in his opinion to warrant the proceedings came to his knowledge shall be conclusive evidence of that fact.
- (4) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.”

Commencement Information

I6 Sch. 6 para. 6 in force at 31.5.2006 by S.I. 2006/1382, art. 2

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