

SCHEDULES

SCHEDULE 5

INVESTIGATORY POWERS ETC.

PART 6

EXERCISE OF ENFORCEMENT FUNCTIONS BY AREA ENFORCERS

Criminal proceedings

- 46 (1) A local weights and measures authority in England or Wales may bring proceedings for a consumer offence allegedly committed in a part of England or Wales which is outside that authority's area.
- (2) In sub-paragraph (1) "a consumer offence" means—
- (a) an offence under legislation which, by virtue of a provision listed in paragraph 10 of this Schedule, a local weights and measures authority in England or Wales has a duty or power to enforce,
 - (b) an offence under legislation under which legislation within paragraph (a) is made,
 - (c) an offence under legislation listed in the second column of the table in paragraph 11 of this Schedule in relation to which a local weights and measures authority is listed in the corresponding entry in the first column of the table as an enforcer,
 - (d) an offence originating from an investigation into a breach of legislation mentioned in paragraph (a), (b) or (c), or
 - (e) an offence described in paragraph 36 or 37 of this Schedule.
- (3) A district council in England may bring proceedings for a consumer offence allegedly committed in a part of England which is outside that council's district.
- (4) In sub-paragraph (3) "a consumer offence" means—
- (a) an offence under legislation which, by virtue of a provision listed in paragraph 10 of this Schedule, a district council in England has a duty or power to enforce,
 - (b) an offence under legislation under which legislation within paragraph (a) is made,
 - (c) an offence originating from an investigation into a breach of legislation mentioned in paragraph (a) or (b), or
 - (d) an offence described in paragraph 36 or 37 of this Schedule.
- (5) A district council in Northern Ireland may bring proceedings for a consumer offence allegedly committed in a part of Northern Ireland which is outside that council's district.

Status: This is the original version (as it was originally enacted).

- (6) In sub-paragraph (5) “a consumer offence” means—
- (a) an offence under legislation which, by virtue of a provision listed in paragraph 10 of this Schedule, a district council in Northern Ireland has a duty or power to enforce,
 - (b) an offence under legislation under which legislation within paragraph (a) is made,
 - (c) an offence originating from an investigation into a breach of legislation mentioned in paragraph (a) or (b), or
 - (d) an offence described in paragraph 36 or 37 of this Schedule.