
STATUTORY INSTRUMENTS

2005 No. 1803

The General Product Safety Regulations 2005

PART 4

MISCELLANEOUS

Extension of time for bringing summary proceedings

41.—(1) Notwithstanding section 127 of the Magistrates' Courts Act 1980⁽¹⁾ or article 19 of the Magistrates' Courts (Northern Ireland) Order 1981⁽²⁾, in England, Wales and Northern Ireland a magistrates' court may try an information (in the case of England and Wales) or a complaint (in the case of Northern Ireland) in respect of an offence under these Regulations if (in the case of England and Wales) the information is laid or (in the case of Northern Ireland) the complaint is made within three years from the date of the offence or within one year from the discovery of the offence by the prosecutor whichever is the earlier.

(2) Notwithstanding section 136 of the Criminal Procedure (Scotland) Act 1995⁽³⁾, in Scotland summary proceedings for an offence under these Regulations may be commenced within three years from the date of the offence or within one year from the discovery of the offence by the prosecutor whichever is the earlier.

(3) For the purposes of paragraph (2), section 136(3) of the Criminal Procedure (Scotland) Act 1995 shall apply as it applies for the purposes of that section.

⁽¹⁾ 1980 c. 43.

⁽²⁾ S.I.1675/1981 (N.I.26).

⁽³⁾ 1995 c. 46.