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## STATUTORY INSTRUMENTS

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# 2013 No. 1478

## The Cosmetic Products Enforcement Regulations 2013

### PART 2

#### Offences, Penalties and Enforcement

##### Time Limit for prosecution of offences

22.—(1) [<sup>F1</sup>In England and Wales an information relating to an offence that is triable by a magistrates' court may be so tried if it is laid within twelve months after the date on which evidence sufficient in the opinion of the prosecutor to justify the proceedings comes to the knowledge of the prosecutor.]

(2) [<sup>F1</sup>In Scotland

(a) summary proceedings for an offence may only be commenced before the end of twelve months from the date on which evidence sufficient in the Lord Advocate's opinion to justify the proceedings came to the Lord Advocate's knowledge, and

(b) section 136(3) of the Criminal Procedure (Scotland) Act 1995 (time limit for certain offences) applies for the purpose of this paragraph as it applies for the purpose of that section.]

(3) In Northern Ireland summary proceedings for an offence may be instituted within twelve months after the date on which evidence sufficient in the opinion of the prosecutor to justify proceedings comes to the knowledge of the prosecutor.

(4) No proceedings are to be brought more than three years after the commission of the offence.

(5) For the purposes of this regulation a certificate of the prosecutor [<sup>F2</sup>(or in Scotland, the Lord Advocate)] as to the date on which such evidence as is referred to above came to their notice is conclusive evidence.

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##### Textual Amendments

**F1** Reg. 22(1)(2) omitted (N.I.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), reg. 1(b), [Sch. 6 para. 1\(6\)](#)

**F2** Words in reg. 22(5) omitted (N.I.) (31.12.2020) by virtue of [The Product Safety and Metrology etc. \(Amendment\) \(Northern Ireland\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1112\)](#), reg. 1(b), [Sch. 6 para. 1\(7\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Cosmetic Products Enforcement Regulations 2013, Section 22.