



# Animal Health and Welfare (Scotland) Act 2006 2006 asp 11

## PART 2

### ANIMAL WELFARE

#### *Offences and penalties*

#### **44 Proceedings for animal fighting offences**

- (1) Proceedings for an offence under section 23 may be brought within the period of 6 months from the date on which evidence sufficient in the opinion of the prosecutor to justify the proceedings came to the prosecutor's knowledge.
- (2) But no such proceedings may be brought more than 3 years—
  - (a) after the commission of the offence, or
  - (b) in the case of an offence involving a continuous contravention, after the last date on which the offence was committed.
- (3) In a prosecution of an offence involving a continuous contravention, the entire period during which the contravention occurred may be included.
- (4) A certificate signed by or on behalf of the prosecutor which states the date on which evidence referred to in subsection (1) came to the prosecutor's knowledge is conclusive evidence of that fact; and such a certificate which purports to be so signed is to be treated as being so signed unless the contrary is proved.
- (5) For the purposes of this section, proceedings are deemed to be commenced on the date on which a warrant to apprehend or to cite the accused is granted provided that the warrant is executed without undue delay.

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#### **Commencement Information**

**II** S. 44 in force at 6.10.2006 by S.S.I. 2006/482, art. 2

**Status:**

Point in time view as at 06/10/2006. This version of this provision has been superseded.

**Changes to legislation:**

Animal Health and Welfare (Scotland) Act 2006, Section 44 is up to date with all changes known to be in force on or before 31 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.