
STATUTORY INSTRUMENTS

2014 No. 1615

**The Merchant Shipping (Maritime Labour Convention)
(Recruitment and Placement) Regulations 2014**

Offences: extension of time limit

9.—(1) For the purposes of this regulation a relevant offence is an offence under regulation 8 in respect of which proceedings are brought by—

- (a) the Secretary of State; or
- (b) the Department for Employment and Learning.

(2) Notwithstanding section 127(1) of the Magistrates' Courts Act 1980 ^{M1} (limitation of time) an information relating to a relevant offence which is triable by a magistrates' court in England and Wales may be so tried if it is laid at any time—

- (a) within 3 years after the date of the commission of the offence; and
- (b) within 6 months after the date on which evidence sufficient in the opinion of the Secretary of State to justify the proceedings came to the knowledge of the Secretary of State.

(3) Notwithstanding section 136 of the Criminal Procedure (Scotland) Act 1995 ^{M2} (time limit for certain offences) in Scotland proceedings in respect of a relevant offence may be commenced at any time—

- (a) within 3 years after the date of the commission of the offence; and
- (b) within 6 months after the date on which evidence sufficient in the opinion of the Lord Advocate to justify the proceedings came to the knowledge of the Lord Advocate.

(4) Notwithstanding Article 19(1)(a) of the Magistrates' Courts (Northern Ireland) Order 1981 ^{M3} (time within which complaint charging offence must be made to give jurisdiction) a complaint relating to a relevant offence may be made at any time—

- (a) within 3 years after the date of the commission of the offence; and
- (b) within 6 months after the date on which evidence sufficient in the opinion of the Department for Employment and Learning to justify the proceedings came to the knowledge of that Department.

(5) For the purposes of this regulation a certificate of the Secretary of State, Lord Advocate or the Department for Employment and Learning (as the case may be) as to the date on which evidence came to the knowledge of that person is conclusive evidence.

Marginal Citations

- M1** 1980 c.43.
- M2** 1995 c.46.
- M3** S.I. 1981/1675.

Changes to legislation:

There are currently no known outstanding effects for the The Merchant Shipping (Maritime Labour Convention) (Recruitment and Placement) Regulations 2014, Section 9.