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SCOTTISH STATUTORY INSTRUMENTS

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**2007 No. 471**

**The Materials and Articles in Contact with  
Food (Scotland) Regulations 2007 (revoked)**

**PART 5**

General

**Offences and penalties**

13.—(1) Any person who—

- (a) contravenes the provisions of regulation 8(2), 10(3), (4), (6) or (7), or 11(1) or (3);
- (b) intentionally obstructs any person acting in the execution of Regulation 1935/2004, Regulation 2023/2006 or these Regulations or without reasonable excuse fails to provide any assistance or information that that person may reasonably require; or
- (c) in purported compliance with any requirement mentioned in sub paragraph (b), knowingly or recklessly supplies information that is false or misleading in any material particular,

is guilty of an offence.

(2) Any person guilty of an offence under these Regulations is liable—

- (a) on conviction on indictment to a fine or to imprisonment for a term not exceeding two years or to both;
- (b) on summary conviction to a fine not exceeding the statutory maximum or to a term of imprisonment not exceeding 6 months or to both.

(3) No prosecution for an offence under these Regulations shall be begun after the expiry of—

- (a) three years from the commission of the offence; or
- (b) one year from the date on which evidence sufficient in the opinion of the prosecutor to warrant proceedings comes to the knowledge of the prosecutor,

whichever is the earlier.

(4) For the purposes of paragraph (3), a certificate signed by or on behalf of the prosecutor, and stating the date on which evidence sufficient in the prosecutor's opinion to warrant the proceedings came to the knowledge of the prosecutor, shall be conclusive evidence of that fact.

(5) A certificate stating that matter and purporting to be so signed shall be deemed to be so signed unless the contrary is proved.

**Status:**

Point in time view as at 16/11/2007. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the The Materials and Articles in Contact with Food (Scotland) Regulations 2007 (revoked), Section 13.