



Trade Descriptions Act 1968

1968 CHAPTER 29

Enforcement

31 Evidence by certificate.

- (1) The Board of Trade may by regulations provide that certificates issued by such persons as may be specified by the regulations in relation to such matters as may be so specified shall, subject to the provisions of this section, be received in evidence of those matters in any proceedings under this Act.
- (2) Such a certificate shall not be received in evidence—
 - (a) unless the party against whom it is to be given in evidence has been served with a copy thereof not less than seven days before the hearing; or
 - (b) if that party has, not less than three days before the hearing, served on the other party a notice requiring the attendance of the person issuing the certificate.
- (3) In any proceedings under this Act in Scotland, a certificate received in evidence by virtue of this section or, where the attendance of a person issuing a certificate is required under subsection (2)(b) of this section, the evidence of that person, shall be sufficient evidence of the matters stated in the certificate.
- (4) For the purposes of this section any document purporting to be such a certificate as is mentioned in this section shall be deemed to be such a certificate unless the contrary is shown.
- (5) Regulations under this section shall be made by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament.

Modifications etc. (not altering text)

- C1** S. 31 extended (1.1.1975) by [Hallmarking Act 1973 \(c. 43\)](#), [s. 9\(3\)](#)
- C2** S. 31(2)–(4) power to apply given (S.) by [Control of Pollution Act 1974 \(c. 40, SIF 46:4\)](#), [s. 75\(7\)\(b\)](#)
- C3** S. 31(2)–(4): power to apply conferred on s. 31(2)–(4) (27.8.1993) by 1993 c. 11, [ss. 30\(6\), 32, 68\(2\)](#).
S. 31(2)–(4) applied (1.10.1994) by [S.I. 1994/2295](#), [reg. 10\(1\)](#).

Changes to legislation:

There are currently no known outstanding effects for the Trade Descriptions Act 1968, Section 31.