



# Legal Aid, Sentencing and Punishment of Offenders Act 2012

## 2012 CHAPTER 10

### PART 1

#### LEGAL AID

#### *Supplementary*

### 36 Misrepresentation

- (1) This section applies where a person—
  - (a) intentionally fails to comply with a requirement imposed by or under this Part to provide documents or information, or
  - (b) in providing documents or information in accordance with such a requirement, makes a statement or representation knowing or believing it to be false.
- (2) The person is guilty of an offence and liable on summary conviction to a fine not exceeding level 4 on the standard scale.
- (3) Proceedings in respect of an offence under this section may (despite anything in the Magistrates' Courts Act 1980) be brought at any time within the period of 6 months beginning with the date on which evidence sufficient in the opinion of the prosecutor to justify a prosecution comes to the prosecutor's knowledge.
- (4) Subsection (3) does not authorise the commencement of proceedings for an offence more than 2 years after the date on which the offence was committed.
- (5) [<sup>F1</sup>The county court] is to have jurisdiction to hear and determine an action brought by the Lord Chancellor to recover loss sustained by reason of—
  - (a) the failure by a person to comply with a requirement imposed by or under this Part to provide documents or information, or
  - (b) a false statement or false representation made by a person in providing documents or information in accordance with such a requirement.

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*Status: Point in time view as at 12/08/2015.*

**Changes to legislation:** *Legal Aid, Sentencing and Punishment of Offenders Act 2012, Section 36 is up to date with all changes known to be in force on or before 18 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. (See end of Document for details)*

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#### **Textual Amendments**

- F1** Words in s. 36(5) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\)](#), s. 61(3), [Sch. 9 para. 52](#); [S.I. 2014/954](#), art. 2(c) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

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