



Hunting with Dogs (Scotland) Act 2023

2023 asp 1

PART 3

FURTHER PROVISION RELATING TO OFFENCES

Proceedings

19 Time limit for summary proceedings

- (1) Proceedings for an offence under [section 2\(1\)](#) or [\(2\)](#) or [section 14\(1\)](#), [\(3\)](#) or [\(4\)](#) may be brought within the period of 6 months beginning with 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) 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.

Commencement Information

- 11** S. 19 not in force at Royal Assent, see [s. 31\(2\)](#)
- 12** S. 19 in force at 3.10.2023 by [S.S.I. 2023/262](#), [reg. 2](#)

20 Individual culpability where organisation commits an offence

- (1) This section applies where—
 - (a) an offence under this Act is committed by a relevant organisation, and
 - (b) the commission of the offence—

Changes to legislation: There are currently no known outstanding effects for the Hunting with Dogs (Scotland) Act 2023, Cross Heading: Proceedings. (See end of Document for details)

- (i) involves consent or connivance on the part of a responsible individual,
or
 - (ii) is attributable to neglect on the part of a responsible individual.
- (2) The responsible individual (as well as the relevant organisation) commits the offence.
- (3) For the purposes of this section—
- “relevant organisation” means an organisation listed in the first column of the table in subsection (4),
 - “responsible individual” means, in relation to a relevant organisation—
 - (a) an individual falling within the corresponding entry in the second column of the table in subsection (4),
 - (b) an individual purporting to act in the capacity of an individual falling within the corresponding entry.
- (4) The table is as follows—

<i>Organisation</i>	<i>Individual</i>
Company as mentioned in section 1 of the Companies Act 2006	Director, manager, secretary or other similar officer, or, where the company’s affairs are managed by its members, member
Limited liability partnership	Member
Other partnership	Partner
Any other body or association	Individual who is concerned in the management or control of its affairs

Commencement Information

- I3** S. 20 not in force at Royal Assent, see [s. 31\(2\)](#)
- I4** [S. 20](#) in force at 3.10.2023 by [S.S.I. 2023/262](#), [reg. 2](#)

Changes to legislation:

There are currently no known outstanding effects for the *Hunting with Dogs (Scotland) Act 2023*, Cross Heading: Proceedings.