
SCOTTISH STATUTORY INSTRUMENTS

2013 No. 127

FREEDOM OF INFORMATION

**The Environmental Information
(Scotland) Amendment Regulations 2013**

<i>Made</i>	- - - -	<i>18th April 2013</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>22nd April 2013</i>
<i>Coming into force</i>	- -	<i>31st May 2013</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 2(2) of the European Communities Act 1972(1) and all other powers enabling them to do so.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Environmental Information (Scotland) Amendment Regulations 2013 and come into force on 31st May 2013.

(2) These Regulations extend to Scotland only.

Amendment of the Environmental Information (Scotland) Regulations 2004

2.—(1) The Environmental Information (Scotland) Regulations 2004(2) are amended as follows.

(2) After regulation 19 (offences) insert—

“Time limit for proceedings

19A.—(1) Proceedings for an offence under regulation 19(1) committed on or after 31st May 2013 may be commenced within the period of 6 months beginning with the date on which evidence that the prosecutor believes is sufficient to justify the proceedings came to the prosecutor’s knowledge.

(2) No proceedings for an offence referred to in paragraph (1) may be commenced more than 3 years—

(1) [1972 c.68](#). Section 2(2) was amended by the Scotland Act [1998 \(c.46\)](#) (“the 1998 Act”), Schedule 8, paragraph 15(3) (which was amended by section 27(4) of the Legislative and Regulatory Reform Act [2006 \(c.51\)](#) (“the 2006 Act”). Section 2(2) was also amended by section 27(1)(a) of the 2006 Act and by the European Union (Amendment) Act [2008 \(c.7\)](#), Schedule, Part 1. The functions conferred upon the Minister of the Crown by section 2(2) of the European Communities Act 1972, insofar as within devolved competence, were transferred to the Scottish Ministers by virtue of section 53 of the 1998 Act.

(2) [S.S.I. 2004/520](#).