
STATUTORY RULES OF NORTHERN IRELAND

2012 No. 299

**The Marketing of Fresh Horticulture Produce
(Amendment) Regulations (Northern Ireland) 2012**

Amendment of the Marketing of Fresh Horticulture Produce Regulations (Northern Ireland) 2010

12. For regulation 21 (Offences by bodies corporate) substitute—

“Offences by bodies corporate

21.—(1) Where—

- (a) an offence under these Regulations has been committed by a body corporate or a partnership or other unincorporated association;
- (b) it is proved that the offence was committed with the consent or connivance of, or was attributable to any neglect on the part of—
 - (i) a relevant individual; or
 - (ii) an individual purporting to act in the capacity of a relevant individual, the individual as well as the body corporate, partnership or unincorporated association is guilty of the offence and is liable to be proceeded against and punished accordingly.

(2) In paragraph (1), “relevant individual” means—

- (a) in relation to a body corporate—
 - (i) a director, manager, secretary or other similar officer of the body;
 - (ii) where the affairs of the body are managed by its members, a member;
- (b) in relation to a partnership, a partner;
- (c) in relation to an unincorporated association other than a partnership, a person who is concerned in the management or control of the association.”.