
STATUTORY RULES OF NORTHERN IRELAND

2017 No. 13

The Single Common Market Organisation (Exceptional Adjustment Aid) Regulations (Northern Ireland) 2017

Offences of bodies corporate, partnerships or unincorporated associations

15.—(1) Proceedings for an offence under Regulation 14 alleged to have been committed by a partnership, or by an unincorporated association may be brought against the partnership or association in the name of the partnership or association.

(2) For the purposes of such proceedings—

- (a) rules of court relating to the service of documents have effect as if the partnership or association were a body corporate, and
- (b) section 18 of the Criminal Justice Act (Northern Ireland) 1975⁽¹⁾ and Schedule 4 to the Magistrates' Courts (Northern Ireland) Order 1981 apply in relation to the partnership or association as they apply in relation to a body corporate.

(3) A fine imposed on a partnership or association on its conviction of an offence under these Regulations is to be paid out of the funds of the partnership or association.

(4) If an offence under regulation 14 committed by a body corporate is proved—

- (a) to have been committed with the consent or connivance of an officer; or
- (b) to be attributable to the negligence of an officer,

the officer, as well as the body corporate, is guilty of the offence and liable to be proceeded against and punished accordingly.

(5) If the affairs of a body corporate are managed by its members, paragraph (4) applies to the acts and omissions of a member in connection with the member's functions of management as it applies to an officer of a body corporate.

(6) If an offence under Regulation 14 committed by a partnership is proved—

- (a) to have been committed with the consent or connivance of a partner; or
- (b) to be attributable to the negligence of a partner,

that partner, as well as the partnership, is guilty of the offence and liable to be proceeded against and punished accordingly.

(7) If an offence under Regulation 14 committed by an unincorporated association is proved—

- (a) to have been committed with the consent or connivance of an officer or member of the governing body of the association or other person having management responsibilities in respect of the association; or
- (b) to be attributable to the negligence of that officer, member or other person,

that officer, member or other person, as well as the association, is guilty of the offence and is liable to be proceeded against and punished accordingly.

(1) 1945 c. 15 (N.I.), section 18 was amended by the Magistrates' Courts Act (Northern Ireland) 1964 (c. 21)(N.I.) and by the Justice (Northern Ireland) Act 2002 (c. 26), Schedule 12

Status: *This is the original version (as it was originally made).*
