

SCHEDULES

SCHEDULE 21

PROVISION OF CONVEYANCING SERVICES BY RECOGNISED INSTITUTIONS AND PRACTITIONERS

Offences committed by bodies corporate and unincorporated associations

- 11 (1) Where an offence under paragraph 10 above which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person purporting to act in any such capacity, he as well as the body corporate shall be guilty of the offence and shall be liable to be proceeded against and punished accordingly.
- (2) Proceedings for an offence alleged to have been committed under paragraph 10 by an unincorporated association shall be brought in the name of that association (and not in that of any of its members) and, for the purposes of any such proceedings, any rules of court relating to service of documents shall have effect as if the association were a corporation.
- (3) A fine imposed on an unincorporated association on its conviction of an offence under paragraph 10 shall be paid out of the funds of the association.
- (4) Schedule 3 to the Magistrates' Courts Act 1980 (procedure on charge of offence against a corporation) shall have effect in a case in which an unincorporated association is charged in England or Wales with an offence under paragraph 10 in like manner as it has effect in the case of a corporation so charged.
- (5) Where any unincorporated association is guilty of an offence under paragraph 10, then—
- (a) in the case of a partnership, every partner, or
 - (b) in the case of any other unincorporated association, every member of the committee or other similar governing body,
- other than a partner or member who is proved to have been ignorant of or to have attempted to prevent the commission of the offence, shall be guilty of that offence and be liable to be proceeded against and punished accordingly.