



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 9

#### MISCELLANEOUS AND SUPPLEMENTARY

##### *General provisions about offences*

#### **187 Offences by bodies corporate etc.**

- (1) If an offence committed by a body corporate is shown—
  - (a) to have been committed with the consent or connivance of an officer, or
  - (b) to be attributable to any neglect on his part,the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.
- (2) If the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body.
- (3) In subsection (1) “officer”, in relation to a body corporate, means—
  - (a) a director, member of the committee of management, chief executive, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity, or
  - (b) an individual who is a controller of the body.
- (4) If an offence committed by a partnership is shown—
  - (a) to have been committed with the consent or connivance of a partner, or
  - (b) to be attributable to any neglect on his part,the partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.
- (5) In subsection (4) “partner” includes a person purporting to act as a partner.

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*Status: Point in time view as at 16/12/2003.*

*Changes to legislation: Licensing Act 2003, Section 187 is up to date with all changes known to be in force on or before 23 January 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

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- (6) If an offence committed by an unincorporated association (other than a partnership) is shown—
- (a) to have been committed with the consent or connivance of an officer of the association or a member of its governing body, or
  - (b) to be attributable to any neglect on the part of such an officer or member, that officer or member as well as the association is guilty of the offence and liable to be proceeded against and punished accordingly.
- (7) Regulations may provide for the application of any provision of this section, with such modifications as the Secretary of State considers appropriate, to a body corporate or unincorporated association formed or recognised under the law of a territory outside the United Kingdom.
- (8) In this section “offence” means an offence under this Act.

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**Commencement Information**

- II** S. 187(7) in force at 16.12.2003 by [S.I. 2003/3222](#), [art. 2](#), [Sch.](#); s. 187(1)-(6)(8) in force at 7.2.2005 by [S.I. 2004/2360](#), [art. 2](#), [Sch.](#)

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