

STATUTORY INSTRUMENTS

2010 No. 740

The Detergents Regulations 2010

Offences by partnerships and unincorporated associations

24.—(1) Proceedings for an offence under these Regulations alleged to have been committed by a partnership or an unincorporated association must 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 unincorporated association were a body corporate, and

(b) the following provisions apply as they apply in relation to a body corporate—

[^{F1}(i) section 33 of the Criminal Justice Act 1925 ^{M1} and Schedule 3 to the Magistrates' Courts Act 1980 ^{M2},]

[^{F2}(ii) sections 70 and 143 of the Criminal Procedure (Scotland) Act 1995 ^{M3},]

[^{F3}(iii) section 18 of the Criminal Justice Act (Northern Ireland) 1945 F4 and Schedule 4 to the Magistrates' Courts (Northern Ireland) Order 1981.]

(3) A fine imposed on a partnership or unincorporated 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 these Regulations 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 any neglect on the part of a partner,

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

(5) In paragraph (4) “partner” includes a person purporting to act as a partner.

(6) If an offence under these Regulations committed by an unincorporated association (other than a partnership) is proved—

(a) to have been committed with the consent or connivance of an officer of the association; or

(b) to be attributable to any neglect on the part of such an officer,

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

(7) In paragraph (6) “officer”, in relation to an unincorporated association, means—

(a) an officer of the association or a member of its governing body, or

(b) a person purporting to act in such a capacity.

F1 Reg. 24(2)(b)(i) omitted (N.I.) (31.12.2020) by virtue of [The Detergents \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1617\)](#), regs. 1(3), **5(11)**

F2 Reg. 24(2)(b)(ii) omitted (N.I.) (31.12.2020) by virtue of [The Detergents \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1617\)](#), regs. 1(3), **5(11)**

Changes to legislation: There are currently no known outstanding effects for the
The Detergents Regulations 2010, Section 24. (See end of Document for details)

F3 Reg. 24(2)(b)(iii) omitted (E.W.S.) (31.12.2020) by virtue of The Detergents (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1617), regs. 1(3), 4(14)

Marginal Citations

M1 1925 c. 86.

M2 1980 c.43. Sections 51 and 52 have been substituted by the Courts Act 2003 (c.39), **section 47**.

M3 1995 c. 46.

Changes to legislation:

There are currently no known outstanding effects for the The Detergents Regulations 2010, Section 24.