
STATUTORY INSTRUMENTS

2017 No. 692

**The Money Laundering, Terrorist Financing and Transfer
of Funds (Information on the Payer) Regulations 2017**

PART 9

Enforcement

CHAPTER 3

Criminal offences, penalties and proceedings etc.

Proceedings: partnership or unincorporated association

- 91.**—(1) Proceedings for an offence alleged to have been committed by—
- (a) a partnership must be brought in the name of the partnership; or
 - (b) an unincorporated association must be brought in the name of the association,
- and not in that of its members.
- (2) A fine imposed on—
- (a) a partnership on its conviction of an offence is to be paid out of the funds of the partnership; and
 - (b) an unincorporated association on its conviction of an offence is to be paid out of the funds of the association.
- (3) Rules of court relating to the service of documents are to have effect as if a partnership or unincorporated association were a body corporate.
- (4) In proceedings for an offence brought against a partnership or an unincorporated association—
- (a) section 33 of the Criminal Justice Act 1925 ^{M1} (procedure on charge of offence against corporation) and Schedule 3 to the Magistrates' Courts Act 1980 ^{M2} (corporations) apply as they do in relation to a body corporate; and
 - (b) section 18 of the Criminal Justice (Northern Ireland) Act 1945 ^{M3} (procedure on charge) and Schedule 4 to the Magistrates' Courts (Northern Ireland) Order 1981 ^{M4} (corporations) apply as they do in relation to a body corporate.

Marginal Citations

- M1** 1995 c.86. Section 33 was amended by Schedule 6 to the [Magistrates' Court Act 1952 \(c.55\)](#) and paragraph 19 of Schedule 8 to the [Courts Act 1971 \(c.23\)](#).
- M2** 1980 c.43. Schedule 3 was amended by sections 25 and 101 and Schedule 13 to the [Criminal Justice Act 1991](#); paragraph 51 of Schedule 3 and by Schedule 37 to the [Criminal Justice Act 2003 \(c.44\)](#).
- M3** 1945 c.15 (N.I.1). Section 18 was amended by paragraph 1 of Schedule 12 to the [Justice \(Northern Ireland\) Act 2002 \(c.26\)](#) and by [S.I. 1972/538 \(N.I.1\)](#).

Changes to legislation: There are currently no known outstanding effects for the The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017, Section 91. (See end of Document for details)

M4 S.I. 1981/1675 (N.I. 26).

Changes to legislation:

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