



# Wild Animals and Circuses (Wales) Act 2020

2020 asc 2

*Offences by bodies corporate etc.*

## 6 Offences by bodies corporate etc. **E+W**

- (1) This section applies where an offence under section 1 is committed by—
  - (a) a body corporate;
  - (b) a partnership;
  - (c) an unincorporated association other than a partnership.
- (2) A person mentioned in subsection (3) also commits the offence if the offence is proved to have been—
  - (a) committed by, or with the consent or connivance of, that person, or
  - (b) attributable to any neglect on the part of that person.
- (3) The persons are—
  - (a) in relation to a body corporate, a director, manager, secretary or other similar officer of the body corporate;
  - (b) in relation to a partnership, a partner in the partnership;
  - (c) in relation to an unincorporated association other than a partnership, any officer of the association or any member of its governing body.
- (4) In subsection (3)(a), “director” in relation to a body corporate whose affairs are managed by its members means a member of the body corporate.
- (5) In this Act, “partnership” means—
  - (a) a partnership within the Partnership Act 1890 (c. 39), or
  - (b) a limited partnership registered under the Limited Partnerships Act 1907 (c. 24).

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*Changes to legislation: There are currently no known outstanding effects for the Wild Animals and Circuses (Wales) Act 2020, Cross Heading: Offences by bodies corporate etc.. (See end of Document for details)*

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**Commencement Information**

**II** S. 6 in force at 1.12.2020, see s. 12

**7 Proceedings: offences committed by partnerships and unincorporated associations** **E+W**

- (1) Proceedings for an offence under section 1 alleged to have been committed by a partnership are to be brought in the name of the partnership (and not in that of any of the partners).
- (2) Proceedings for an offence under section 1 alleged to have been committed by an unincorporated association other than a partnership are to be brought in the name of the association (and not in that of any of its members).
- (3) Rules of court relating to the service of documents have effect as if the partnership or unincorporated association were a body corporate.
- (4) Section 33 of the Criminal Justice Act 1925 (c. 86) and Schedule 3 to the Magistrates' Courts Act 1980 (c. 43) apply in proceedings for an offence brought against a partnership or an unincorporated association as they apply in relation to a body corporate.

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**Commencement Information**

**12** S. 7 in force at 1.12.2020, see s. 12

**Changes to legislation:**

There are currently no known outstanding effects for the Wild Animals and Circuses (Wales) Act 2020, Cross Heading: Offences by bodies corporate etc..