
STATUTORY RULES OF NORTHERN IRELAND

2015 No. 425

**The Fluorinated Greenhouse Gases
Regulations (Northern Ireland) 2015**

PART 4

Offences and penalties

Offences committed by bodies corporate, partnerships and unincorporated associations

- 27.—(1) For the purposes of these Regulations—
- (a) section 20(2) of the Interpretation Act ^{F1}... applies with the omission of the words “the liability of whose members is limited”;
 - (b) section 20(3) of that Act does not apply; and
 - (c) where the affairs of a body corporate are managed by its members, section 20(2) of the Act applies in relation to the acts or defaults of a member in connection with the member's functions of management as if the member were a director of the body corporate.
- (2) Where any 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 partner's part, the partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.
- (3) For the purposes of paragraph (2), “partner” includes a person purporting to act as a partner.
- (4) Where any 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 a member of its governing body; or
 - (b) to be attributable to any neglect on the part of such an officer or member, the officer or member as well as the association is guilty of the offence and liable to be proceeded against and punished accordingly.
- (5) For the purpose of proceedings under paragraph (4)—
- (a) rules of court relating to the service of documents have effect as if the association were a body corporate; and
 - (b) the provisions of section 18 (procedure on charge) of the Criminal Justice Act (Northern Ireland) 1945 ^{M1} and Article 166 (corporations) of, and Schedule 4 to, the Magistrates' Courts (Northern Ireland) Order 1981 ^{M2} apply as they apply in relation to a body corporate.
- (6) A fine imposed on an unincorporated association on its conviction for an offence may be made payable out of the funds of the association.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

F1 Words in [reg. 27\(1\)\(a\)](#) omitted (17.1.2019) by virtue of [The Fluorinated Greenhouse Gases \(Amendment\) Regulations \(Northern Ireland\) 2018 \(S.R. 2018/206\)](#), regs. 1(1), **20**

Marginal Citations

M1 [1945 c.15 \(N.I.\)](#)

M2 [S.I. 1981/1675 \(N.I. 26\)](#)

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Fluorinated Greenhouse Gases Regulations (Northern Ireland) 2015. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Rule associated Parts and Chapters:

Whole provisions yet to be inserted into this Rule (including any effects on those provisions):

- [reg. 3\(4\)](#) inserted by [S.I. 2019/281 reg. 4\(2\)](#)