



Business Names Act 1985

1985 CHAPTER 7

7 Offences

- (1) Offences under this Act are punishable on summary conviction.
- (2) A person guilty of an offence under this Act is liable to a fine not exceeding one-fifth of the statutory maximum.
- (3) If after a person has been convicted summarily of an offence under section 2 or 4(6) the original contravention is continued, he is liable on a second or subsequent summary conviction of the offence to a fine not exceeding one-fiftieth of the statutory maximum for each day on which the contravention is continued (instead of to the penalty which may be imposed on the first conviction of the offence).
- (4) Where an offence under section 2 or 4(6) or (7) committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate, or any person who was purporting to act in any such capacity, he as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.
- (5) Where the affairs of a body corporate are managed by its members, subsection (4) 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 corporate.
- (6) For purposes of the following provisions of the Companies Act 1985—
 - (a) section 731 (summary proceedings under the Companies Acts), and
 - (b) section 732(3) (legal professional privilege),this Act is to be treated as included in those Acts.