



# Anti-terrorism, Crime and Security Act 2001

## 2001 CHAPTER 24

### PART 7

#### SECURITY OF PATHOGENS AND TOXINS

#### **69 Partnerships and unincorporated associations**

- (1) Proceedings for an offence alleged to have been committed by a partnership or an unincorporated association must be brought in the name of the partnership or association (and not in that of any of its members).
- (2) A fine imposed on the partnership or association on its conviction of an offence is to be paid out of the funds of the partnership or association.
- (3) Rules of court relating to the service of documents are to have effect as if the partnership or association were a body corporate.
- (4) In proceedings for an offence brought against the partnership or association—
  - (a) section 33 of the Criminal Justice Act 1925 (c. 86) and Schedule 3 to the Magistrates' Courts Act 1980 (c. 43) (procedure) apply as they do in relation to a body corporate;
  - (b) sections 70 and 143 of the Criminal Procedure (Scotland) Act 1995 (c. 46) (procedure) apply as they do in relation to a body corporate;
  - (c) section 18 of the Criminal Justice (Northern Ireland) Act 1945 (c. 15 (N.I.)) and Schedule 4 to the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)) (procedure) apply as they do in relation to a body corporate.
- (5) If an offence under this Part committed by a partnership is shown to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
  - (a) a partner or a person purporting to act as a partner, or

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*Changes to legislation: There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Section 69. (See end of Document for details)*

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- (b) any employee of the partnership who is in charge of any relevant premises or the access to any dangerous substance kept or used there,  
he, as well as the partnership, is guilty of the offence and liable to be proceeded against and punished accordingly.
- (6) If an offence under this Part committed by an unincorporated association is shown to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
- (a) any officer, or
- (b) any employee of the association who is in charge of any relevant premises or the access to any dangerous substance kept or used there,  
he, as well as the association, is guilty of the offence and liable to be proceeded against and punished accordingly.
- (7) In subsection (6) “officer”, in relation to any association, means—
- (a) any officer of the association or any member of its governing body; or
- (b) any person purporting to act in such a capacity.

**Modifications etc. (not altering text)**

- C1** Ss. 58-74 applied (with modifications) (19.5.2007) by The Part 7 of the Anti-terrorism, Crime and Security Act 2001 (Extension to Animal Pathogens) Order 2007 (S.I. 2007/926), **art. 2**, Sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Anti-terrorism, Crime and Security Act 2001, Section 69.