



Vehicles (Crime) Act 2001

2001 CHAPTER 3

PART 4

SUPPLEMENTARY

General

39 Offences by bodies corporate

- (1) Where an offence under this Act 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, a director, manager, secretary or other similar officer of the body corporate, he as well as the body corporate commits the offence and shall be liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a body corporate are managed by its members, subsection (1) 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.
- [^{F1}(3) Where an offence under this Act committed by a Scottish partnership is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, he as well as the partnership commits the offence and shall be liable to be proceeded against and punished accordingly.]

Textual Amendments

F1 S. 39(3) inserted (31.7.2008) by [Road Safety Act 2006 \(c. 49\)](#), ss. **46(10)**, 61(1); S.I. 2008/1864, art. 2

40 Service of notices

- (1) Any document required or authorised by virtue of this Act to be served on any person may be served—

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- (a) by delivering it to him or by leaving it at his proper address or by sending it by post to him at that address;
 - (b) if the person is a body corporate other than a limited liability partnership, by serving it in accordance with paragraph (a) on the secretary of the body;
 - (c) if the person is a limited liability partnership, by serving it in accordance with paragraph (a) on a member of the partnership; or
 - (d) if the person is a partnership, by serving it in accordance with paragraph (a) on a partner or a person having the control or management of the partnership business.
- (2) For the purposes of this section and section 7 of the Interpretation Act 1978 (c.30) (service of documents by post) in its application to this section, the proper address of any person on whom a document is to be served shall be his last known address, except that—
 - (a) in the case of service on a body corporate (other than a limited liability partnership) or its secretary, it shall be the address of the registered or principal office of the body;
 - (b) in the case of service on a limited liability partnership or a member of the partnership, it shall be the address of the registered or principal office of the partnership;
 - (c) in the case of service on a partnership or a partner or a person having the control or management of a partnership business, it shall be the address of the principal office of the partnership.
- (3) For the purposes of subsection (2) the principal office of a company constituted under the law of a country or territory outside the United Kingdom or of a partnership carrying on business outside the United Kingdom is its principal office within the United Kingdom.
- (4) Subsection (5) applies if a person to be served under this Act with any document by another has specified to that other an address within the United Kingdom other than his proper address (as determined under subsection (2)) as the one at which he or someone on his behalf will accept documents of the same description as that document.
- (5) In relation to that document, that address shall be treated as his proper address for the purposes of this section and section 7 of the Interpretation Act 1978 in its application to this section, instead of that determined under subsection (2).
- (6) Any notice in writing or other document required or authorised by virtue of this Act to be served on any person may be served on that person by transmitting the text of the notice or other document to him by means of [F²an electronic communications network] or by other means but while in an electronic form provided the text is received by that person in legible form and is capable of being used for subsequent reference.
- (7) This section does not apply to any document if rules of court make provision about its service.
- (8) In this section references to serving include references to similar expressions (such as giving or sending).

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Textual Amendments

- F2** Words in s. 40(6) substituted (25.7.2003 for specified purposes, 29.12.2003 in so far as not already in force) by [Communications Act 2003 \(c. 21\)](#), s. 411(2), [Sch. 17 para. 168](#) (with [Sch. 18](#)); [S.I. 2003/1900](#), arts. 1(2), 2(1), [Schs. 1](#) (with [art. 3](#)) (as amended by [S.I. 2003/3142](#), art. 1(3)); [S.I. 2003/3142](#), art. 3(2) (with [art. 11](#))

41 Orders and regulations under this Act

- (1) Any power of the Secretary of State to make an order or regulations under this Act shall be exercisable by statutory instrument.
- (2) Any power of the Secretary of State to make an order or regulations under this Act—
 - (a) may be exercised so as to make different provision for different cases or descriptions of case or for different purposes or different areas;
 - (b) includes power to make such incidental, supplementary, consequential, transitory, transitional or saving provision as the Secretary of State considers appropriate.
- (3) A statutory instrument containing an order or regulations under this Act (other than an order under section 44) shall be subject to annulment in pursuance of a resolution of either House of Parliament.

42 General financial provision

- (1) There shall be paid out of money provided by Parliament—
 - (a) any expenditure incurred by a Minister of the Crown in consequence of this Act; and
 - (b) any increase attributable to this Act in the sums payable out of money so provided by virtue of any other Act.
- (2) There shall be paid into the Consolidated Fund any sums received by a Minister of the Crown in consequence of this Act.

43 Consequential amendments

The Schedule to this Act (consequential amendments) shall have effect.

Commencement Information

- II** [S. 43](#) partly in force; [s. 43](#) not in force at Royal Assent see [s. 44](#); [s. 43](#) in force for the purposes of specified provisions of the Schedule: at 2.1.2002 by [S.I. 2001/4059](#), art. 2(b); at 17.9.2002 by [S.I. 2002/2377](#), art. 2(c)

Changes to legislation:

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

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

- s. 38(4A) inserted by [2006 c. 49 s. 2\(3\)](#)