

**Changes to legislation:** Energy Act 2013, Paragraph 8 is up to date with all changes known to be in force on or before 22 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## SCHEDULES

### SCHEDULE 10

#### PROVISIONS RELATING TO OFFENCES

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

- C1** Sch. 10 excluded (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), **Sch. 1 para. 4** (with Sch. 4)

##### *Offences by partnerships*

- 8 (1) Proceedings for an offence alleged to have been committed by a partnership may be brought in the name of the partnership.
- (2) Rules of court relating to the service of documents have effect in relation to proceedings for an offence as if the partnership were a body corporate.
- (3) For the purposes of such proceedings the following provisions apply as they apply in relation to a body corporate—
- (a) section 33 of the Criminal Justice Act 1925 and Schedule 3 to the Magistrates' Courts Act 1980, and
  - (b) section 18 of the Criminal Justice Act (Northern Ireland) 1945 and Schedule 4 to the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)).
- (4) A fine imposed on a partnership on its conviction for an offence is to be paid out of the partnership assets.
- (5) Where an offence 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 neglect on the part of a partner,
- the partner (as well as the partnership) is guilty of the offence and is liable to be proceeded against and dealt with accordingly.
- (6) In this paragraph “partner” includes a person purporting to act as a partner.

##### Commencement Information

- II** [Sch. 10 para. 8](#) in force at 1.4.2014 by [S.I. 2014/251](#), art. 4

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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. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)