



Elections Act 2022

2022 CHAPTER 37

PART 6

INFORMATION TO BE INCLUDED WITH ELECTRONIC MATERIAL

Supplementary

59 Offences committed by unincorporated associations etc

- (1) Proceedings for an offence alleged to have been committed under this Part by an unincorporated association are to be brought against the association in its own name (and not in that of any of its members) and, for the purposes of any such proceedings, any rules of court relating to the service of documents have effect as if the association were a corporation.
- (2) A fine imposed on an unincorporated association on its conviction of an offence under this Part must be paid out of the funds of the association.
- (3) Schedule 3 to the Magistrates' Courts Act 1980 (procedure on charge of offence against a corporation) has effect in a case in which an unincorporated association is charged in England or Wales with an offence under this Part in the same way as it has effect in the case of a corporation so charged.
- (4) Schedule 4 to the Magistrates' Courts (Northern Ireland) Order 1981 ([S.I. 1981/1675 \(N.I. 26\)](#)) (procedure on charge of offence against a corporation) has effect in a case in which an unincorporated association is charged in Northern Ireland with an offence under this Part in the same way as it has effect in the case of a corporation so charged.
- (5) Where a partnership is guilty of an offence under this Part and the offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any partner, the partner as well as the partnership is guilty of that offence and liable to be proceeded against and punished accordingly.

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Elections Act 2022. 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](#)

- (6) Where any other unincorporated association is guilty of an offence under this Part and the offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
- (a) any officer of the association, or
 - (b) any member of the committee or other similar governing body of the association,
- the officer or member, as well as the association, is guilty of that offence and liable to be proceeded against and punished accordingly.

Commencement Information

- I1** S. 59 not in force at Royal Assent, see [s. 67\(1\)](#)
- I2** [S. 59](#) in force at 1.11.2023 by [S.I. 2023/1145](#), [reg. 3\(f\)](#) (with [Sch. para. 10](#))

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to Elections Act 2022. 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 Act associated Parts and Chapters:

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

- Sch. 8 para. 12(4)(da) inserted by [2023 c. 55 Sch. 4 para. 230](#)
- Sch. 9 para. 35(ea) inserted by [2023 c. 47 s. 3\(3\)](#)