



# Criminal Justice Act 1925

1925 CHAPTER 86 15 and 16 Geo 5

## PART II **E+W**

### JURISDICTION AND PROCEDURE

#### *Miscellaneous*

32 ..... <sup>F1</sup> **E+W**

#### Textual Amendments

**F1** Ss. 31, 32, 33(1)(2)(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, Sch. 6

33 **Procedure on charge of offence against corporation.** **E+W**

(1) ..... <sup>F2</sup>

(3) [<sup>F3</sup>On arraignment of a corporation, the corporation may], enter in writing by its representative a plea of guilty or not guilty, and if either the corporation does not appear by a representative or, though it does so appear, fails to enter as aforesaid any plea, the court shall order a plea of not guilty to be entered and the trial shall proceed as though the corporation had duly entered a plea of not guilty.

(4) Provision may be made by rules under the <sup>M1</sup>Indictments Act 1915 with respect to the service on any corporation charged with an indictable offence of any documents requiring to be served in connection with the proceedings<sup>F4</sup>....

(5) ..... <sup>F2</sup>

(6) In this section the expression “representative” in relation to a corporation means a person duly appointed by the corporation to represent it for the purpose of doing any act or thing which the representative of a corporation is by this section authorized

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to do, but a person so appointed shall not, by virtue only of being so appointed, be qualified to act on behalf of the corporation before any court for any other purpose.

A representative for the purposes of this section need not be appointed under the seal of the corporation, and a statement in writing purporting to be signed by a managing director of the corporation, or by any person (by whatever name called) having, or being one of the persons having, the management of the affairs of the corporation, to the effect that the person named in the statement has been appointed as the representative of the corporation for the purposes of this section shall be admissible without further proof as prima facie evidence that that person has been so appointed.

#### Textual Amendments

- F2** Ss. 31, 32, 33(1)(2)(5) repealed by Magistrates' Courts Act 1952 (c. 55), s. 132, **Sch. 6**
- F3** Words substituted by Courts Act 1971 (c. 23), **Sch. 8 para. 19**
- F4** Words in s. 33(4) repealed (1.9.2004) by Courts Act 2003 (c. 39), s. 110(1), Sch. 8 para. 71, **Sch. 10**; S.I. 2004/2066, art. 2(c)(ii)(d)(i) (with art. 3)

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

- C1** S. 33 extended by Magistrates' Courts Act 1980 (c. 43), **Sch. 3**, para. 8, Companies Act 1985 (c. 6, SIF 27), **s. 734(3)**, Financial Services Act 1986 (c. 60, SIF 69), **s. 203(3)**, and by Banking Act 1987 (c. 22, SIF 10), **s. 98(3)**
- C2** S. 33 modified by Insurance Companies Act 1982 (c. 50, SIF 67), **s. 92(3)**
- C3** S. 33 applied by Companies Act 1989 (c. 40, SIF 27), **ss. 44(3)**, 91(3) (the application being in force as regards s. 91(3) and as regards s. 44(3) being in force (1.3.1990) for certain purposes only as mentioned in S.I. 1990/142, **Sch.** and otherwise (1.10.1991) see s. 44(3) and S.I. 1991/1996, **art. 2(1)(a)**)
- C4** S. 33 extended by Counter–Inflation (Temporary Provisions) Act 1972 (c. 74), **s. 5(5)**, Counter–Inflation Act 1973 (c. 9), **s. 18(5)** and Insurance Companies Act 1974 (c. 49), **s. 80(3)**
- C5** S. 33 extended (6.1.1997) by S.I. 1996/2827, **reg. 70(3)**
- C6** S. 33 applied (with modifications) (16.2.2001) by Political Parties, Elections and Referendums Act 2000 (c. 41), **s. 153(3)** (with s. 156(6)); S.I. 2001/222, art. 2, **Sch. 1** (subject to transitional provisions in Sch. 1 Pt. II)
- s. 33 applied (18.6.2001) by Financial Services and Markets Act 2000 (c. 8), **s. 403(4)(a)**; S.I. 2001/1820, art. 2, **Sch.**
- S. 33 applied (31.5.2002) by Anti-terrorism, Crime and Security Act 2001 (c. 24), **s. 69(4)(a)**; S.I. 2002/1279, **art. 2**
- S. 33 extended (7.11.2002) by Adoption and Children Act 2002 (c. 38), **ss. 143(5)(a)**, 148 (with Sch. 4 paras. 1, 6–8)
- C7** S. 33 applied (2.8.2004) by Justification of Practices Involving Ionising Radiation Regulations 2004 (S.I. 2004/1769), reg. 1, **Sch. 2 para. 11** (with reg. 2)
- C8** S. 33 applied (7.2.2005) by Licensing Act 2003 (c. 17), **ss. 188(4)**, 201(2) (with ss. 2(3), 15(2), 195); S.I. 2004/2360, art. 2(1), Sch.
- C9** S. 33 applied by Children Act 1989 (c. 41), **Sch. 9A para. 5A(4)** (as inserted (1.3.2005 for E., 1.4.2006 for W.) by Children Act 2004 (c. 31), s. 67(7)(c), **Sch. 4 para. 9**; S.I. 2005/394, **art. 2(1)(k)**; S.I. 2006/885, **art. 2(c)**)
- C10** S. 33 applied (1.4.2005) by Gangmasters (Licensing) Act 2004 (c. 11), **ss. 21(4)(b)**, 22(6)(b), 29(1); S.I. 2005/447, **art. 2(j)(k)**
- C11** S. 33 applied (20.1.2007 for specified purposes, 6.4.2007 for specified purposes, 1.10.2007 for specified purposes, 6.4.2008 for specified purposes, 1.10.2008 for specified purposes, 1.10.2009 in so far as not already in force) by Companies Act 2006 (c. 46), **ss. 1130(2)(b)(i)**, 1300(2) (with s. 1133); S.I. 2006/3428, art. 3(2)(b) (with arts. 6, 8(2)); S.I. 2007/1093, art. 2(2)(c) (with arts. 4, 11(1)); S.I.

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- 2007/2194, art. 2(1)(1)(3)(h) (with arts. 7, 12); S.I. 2007/3495, arts. 3(3)(g), 5(3)(a) (with arts. 7, 12); S.I. 2008/2860, art. 3(s) (with arts. 7, 8, Sch. 2 para. 1)
- C12** S. 33 applied (6.4.2008) by Companies Act 2006 (c. 46), **ss. 1257(3)**, 1300(2); S.I. 2007/3495, art. 3(1)(u) (with arts. 7912Sch. 4 para. 41)
- C13** S. 33 applied (1.2.2007 for W. for specified purposes, 2.4.2007 for W. for specified purposes, 1.7.2007 for E. for specified purposes, 22.4.2008 for E.W.S. for specified purposes, 13.12.2008 for W. for specified purposes, 1.8.2012 for N.I. for specified purposes) by Health Act 2006 (c. 28), **ss. 77(4)(a)**, 83(4)(a)(6)(b), (7); S.I. 2007/204, arts. 2(c), 3(c); S.I. 2007/1375, art. 2(b); S.I. 2008/1147, art. 3(b)(c); S.I. 2008/3171, art. 2(b); S.R. 2012/307, art. 2(b)
- C14** S. 33 applied (1.3.2007) by National Health Service Act 2006 (c. 41), **ss. 207(4)**, 277(3)(b)(4)(5)
- C15** S. 33 applied (1.3.2007) by National Health Service (Wales) Act 2006 (c. 42), **ss. 155(4)**, 208(1)(4) (with s. 19(3))
- C16** S. 33 applied (6.4.2007) by Childcare Act 2006 (c. 21), **ss. 88(3)**, 109(2); S.I. 2007/1019, art. 4
- C17** S. 33 applied (15.12.2007) by The Transfer of Funds (Information on the Payer) Regulations 2007 (S.I. 2007/3298), regs. 1(1), **16(8)(a)**
- C18** S. 33 applied (15.12.2007) by The Money Laundering Regulations 2007 (S.I. 2007/2157), regs. 1(1), **47(8)(a)**
- C19** S. 33 applied by Transport Act 1968 (c. 73), **s. 102B(4)** (as inserted (5.2.2008) by Passenger and Goods Vehicles (Recording Equipment) (Downloading and Retention of Data) Regulations 2008 (S.I. 2008/198), **regs. 1(1)**, 3)
- C20** S. 33 applied (6.4.2008) by Serious Crime Act 2007 (c. 27), **ss. 31(5)(b)(i)(6)(b)(i)**, 94(1); S.I. 2008/755, **art. 15(1)(f)**
- C21** S. 33 applied (27.11.2008) by Counter-Terrorism Act 2008 (c. 28), s. 100(2), **Sch. 7 para. 37(2)(a)** (with s. 101(2), Sch. 7 para. 43)
- C22** S. 33 applied (12.1.2009 for specified purposes) by Health and Social Care Act 2008 (c. 14), **ss. 92(3)**, 170(3)(4); S.I. 2008/3168, art. 2
- C23** S. 33 applied (9.3.2009) by Fluorinated Greenhouse Gases Regulations 2009 (S.I. 2009/261), regs. 1(b), **52(6)(b)(i)**
- C24** S. 33 applied (9.3.2009) by Ozone-Depleting Substances (Qualifications) Regulations 2009 (S.I. 2009/216), regs. 1(b), **10(6)(b)(i)**
- C25** S. 33 applied by Administration of Justice Act 1985 (c. 61), s. 10(7) (as substituted (31.3.2009) by Legal Services Act 2007 (c. 29), s. 211(2), **Sch. 16 para. 83(4)** (with ss. 29, 192, 193); S.I. 2009/503, art. 2(b)(ii))
- C26** S. 33 applied (27.4.2009) by The Organic Products Regulations 2009 (S.I. 2009/842), regs. 1, **28(4)(a)**
- C27** S. 33 applied (1.5.2009 for specified purposes, 1.11.2009 in so far as not already in force) by The Payment Services Regulations 2009 (S.I. 2009/209), regs. 1(2)(b)(c), **118(4)(a)** (with reg. 3)
- C28** S. 33 applied (30.6.2009) by Swine Vesicular Disease Regulations 2009 (S.I. 2009/1299), regs. 1, **44(2)(b)** (with reg. 4)
- C29** S. 33 applied (30.6.2009) by The Swine Vesicular Disease (Wales) Regulations 2009 (S.I. 2009/1372), regs. 1, **44(2)(b)** (with reg. 4)
- C30** S. 33 applied (1.7.2009) by Marketing of Fresh Horticultural Produce Regulations 2009 (S.I. 2009/1361), regs. 1(1), **19(7)(b)**
- C31** S. 33 applied (16.7.2009) by Marketing of Fresh Horticultural Produce (Wales) Regulations 2009 (S.I. 2009/1551), regs. 1, **19(7)(b)**
- C32** S. 33(6) extended by Magistrates' Courts Act 1980 (c. 43), **Sch. 3 para. 8**

#### Marginal Citations

**M1** 1915 c. 90.

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#### **Textual Amendments**

**F5** S. 34 repealed by [Prosecution of Offences Act 1979 \(c. 31\)](#), **Sch. 2 Pt. II**

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