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STATUTORY INSTRUMENTS

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**2018 No. 761**

**The Equine Identification (England) Regulations 2018**

**PART 4**

**Criminal offences**

**Offences by partnerships and unincorporated associations**

**32.**—(1) Proceedings for an offence under these Regulations alleged to have been committed by a partnership or an unincorporated association may be brought in the name of the partnership or association.

(2) For the purposes of such proceedings—

- (a) rules of court relating to the service of documents are to have effect as if the partnership or association were a body corporate;
- (b) section 33 of the Criminal Justice Act 1925(1) and Schedule 3 to the Magistrates' Courts Act 1980(2) apply in relation to the partnership or association as they apply in relation to a body corporate.

(3) A fine imposed on a partnership or association on its conviction for an offence under these Regulations is to be paid out of the funds of the partnership or association.

(4) Where a partnership is guilty of an offence under these Regulations, and that 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 partner, that partner (as well as the partnership) is also guilty of the offence.

(5) For these purposes, “partner” includes a person purporting to act as a partner.

(6) Where an unincorporated association is guilty of an offence under these Regulations, and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, an officer of the association, that officer (as well as the association) is also guilty of the offence.

(7) For these purposes, “officer” means an officer of the association or a member of its governing body, or a person purporting to act in such capacity.

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(1) 1925 c.86. Relevant amending enactments are Schedule 6 to the Magistrates' Court Act 1952 (c.55) and Schedule 8 to the Courts Act 1971 (c.23).

(2) 1980 c.43. Relevant amending enactments are sections 25 and 101 of, and Schedule 13 to, the Criminal Justice Act 1991 (c.53); and Schedules 3 and 37 to the Criminal Justice Act 2003 (c.44).