
STATUTORY INSTRUMENTS

2020 No. 948

The Afghanistan (Sanctions) (EU Exit) Regulations 2020

PART 7

Enforcement

Procedure for offences by unincorporated bodies

41.—(1) Paragraphs (2) and (3) apply if it is alleged that an offence under these Regulations has been committed by an unincorporated body (as opposed to by a member of the body).

(2) Proceedings in England and Wales or Northern Ireland for such an offence must be brought against the body in its own name.

(3) For the purposes of proceedings for such an offence brought against an unincorporated body—

(a) rules of court relating to the service of documents have effect as if the body were a body corporate;

(b) the following provisions apply as they apply in relation to a body corporate—

(i) section 33 of the Criminal Justice Act 1925⁽¹⁾ and Schedule 3 to the Magistrates' Courts Act 1980⁽²⁾;

(ii) section 18 of the Criminal Justice Act (Northern Ireland) 1945⁽³⁾ and Article 166 of, and Schedule 4 to, the Magistrates' Courts (Northern Ireland) Order 1981⁽⁴⁾.

(4) A fine imposed on an unincorporated body on its conviction of an offence under these Regulations is to be paid out of the funds of the body.

(1) 1925 c.86. Section 33 was amended by the Statute Law (Repeals) Act 2004 (c.14), section 1(1) and Schedule 1, Part 17. Other amendments have been made to section 33 that are not relevant to these Regulations.

(2) 1980 c.43. Amendments have been made to Schedule 3 that are not relevant to these Regulations.

(3) 1945 c. 15 (N.I.).

(4) S.I. 1981/1675 (N.I.26).