



# Chemical Weapons Act 1996

## 1996 CHAPTER 6

### *Offences: miscellaneous*

#### **31 Offences: other provisions.**

- (1) Proceedings for an offence under section 2 or 11 shall not be instituted—
  - (a) in England and Wales, except by or with the consent of the Attorney General;
  - (b) in Northern Ireland, except by or with the consent of the [<sup>F1</sup>Advocate General for Northern Ireland] .
- (2) Proceedings for an offence under any provision of this Act other than section 2 or 11 shall not be instituted except by or with the consent of the Secretary of State; but the preceding provisions of this subsection do not apply to Scotland.
- (3) Where an offence under this Act is committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
  - (a) a director, manager, secretary or other similar officer of the body corporate, or
  - (b) any person who was purporting to act in any such capacity,he as well as the body corporate shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (4) In subsection (3) “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (5) Where an offence under this Act is committed by a Scottish partnership and is proved to have been committed with the consent or connivance of a partner, he as well as the partnership shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.

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#### **Textual Amendments**

- F1** Words in s. 31(1) substituted (12.4.2010) by [Justice \(Northern Ireland\) Act 2002 \(c. 26\), s. 87\(1\), Sch. 7 para. 34](#); [S.R. 2010/113, art. 2, Sch. para. 19\(e\)](#)

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*Changes to legislation: There are currently no known outstanding effects for the Chemical Weapons Act 1996, Section 31. (See end of Document for details)*

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

**C1** S. 31 extended (with modifications) (Jersey) (21.12.1998) by [S.I. 1998/2565](#), [art. 4](#), [Sch.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Chemical Weapons Act 1996, Section 31.