



Health Act 2006

2006 CHAPTER 28

PART 7

FINAL PROVISIONS

Offences

77 Offences committed by partnerships and other unincorporated associations

- (1) Proceedings for an offence alleged to have been committed by a partnership shall be brought in the name of the partnership (and not in that of any of the partners).
- (2) Proceedings for an offence alleged to have been committed by an unincorporated association (other than a partnership) shall be brought in the name of the association (and not in that of any of its members).
- (3) Rules of court relating to the service of documents shall have effect as if the partnership or unincorporated association were a body corporate.
- (4) In proceedings for an offence brought against a partnership or an unincorporated association, the following provisions apply as they apply in relation to a body corporate—
 - (a) section 33 of the Criminal Justice Act 1925 (c. 86) and Schedule 3 to the Magistrates' Courts Act 1980 (c. 43);
 - (b) sections 70 and 143 of the Criminal Procedure (Scotland) Act 1995 (c. 46);
 - (c) section 18 of the Criminal Justice Act (Northern Ireland) 1945 (c. 15 (N.I.)) and Schedule 4 to the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)).
- (5) A fine imposed on a partnership on its conviction for an offence is to be paid out of the partnership assets.
- (6) A fine imposed on an unincorporated association on its conviction for an offence is to be paid out of the funds of the association.

*Changes to legislation: There are currently no known outstanding effects
for the Health Act 2006, Section 77. (See end of Document for details)*

(7) Subsections (1) and (2) are not to be read as prejudicing any liability of a partner, officer or member under section 76(4) or (6).

Commencement Information

- I1** S. 77 in force at 1.2.2007 for specified purposes for W. by [S.I. 2007/204](#), **art. 3(c)**
- I2** S. 77 in force at 2.4.2007 for specified purposes for W. by [S.I. 2007/204](#), **art. 2(c)**
- I3** S. 77 in force at 1.7.2007 for specified purposes for E. by [S.I. 2007/1375](#), **art. 2(b)**
- I4** S. 77 in force at 22.4.2008 for specified purposes for E.S. by [S.I. 2008/1147](#), **art. 3(c)**
- I5** S. 77 in force at 22.4.2008 for specified purposes by [S.I. 2008/1147](#), **art. 3(b)**
- I6** [S. 77](#) in force at 13.12.2008 for specified purposes for W. by [S.I. 2008/3171](#), **art. 2(b)**
- I7** [S. 77](#) in force at 1.8.2012 for specified purposes for N.I. by [S.R. 2012/307](#), **art. 2(b)**

Changes to legislation:

There are currently no known outstanding effects for the Health Act 2006, Section 77.