



# Specialist Printing Equipment and Materials (Offences) Act 2015

## 2015 CHAPTER 16

### 3 Offences by bodies corporate and partnerships etc

- (1) For the purposes of section 1(1) a body (whether corporate or not) is to be treated as knowing a fact about a supply of equipment if a person who has responsibility within the body for the supply knows of the fact.
- (2) Where an offence committed by a body corporate is proved—
  - (a) to have been committed with the consent or connivance of an officer of the body corporate, or
  - (b) to be attributable to neglect on the part of an officer of the body corporate, that officer (as well as the body corporate) is guilty of the offence and is liable to be proceeded against and dealt with accordingly.
- (3) “Officer”, in relation to a body corporate, means—
  - (a) any director, manager, secretary or other similar officer of the body corporate, or
  - (b) any person purporting to act in any such capacity;and for this purpose “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (4) Proceedings for an offence alleged to have been committed by a partnership may be brought in the name of the partnership.
- (5) Rules of court relating to the service of documents have effect in relation to such proceedings as if the partnership were a body corporate.
- (6) For the purposes of such proceedings section 33 of the Criminal Justice Act 1925 and Schedule 3 to the Magistrates' Courts Act 1980 apply as they apply in relation to a body corporate.
- (7) A fine imposed on a partnership on its conviction for an offence is to be paid out of the partnership assets.

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**Changes to legislation:** There are currently no known outstanding effects for the Specialist Printing Equipment and Materials (Offences) Act 2015, Section 3. (See end of Document for details)

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- (8) Where an offence committed by a partnership is proved—
- (a) to have been committed with the consent or connivance of a partner, or
  - (b) to be attributable to neglect on the part of a partner,
- the partner (as well as the partnership) is guilty of the offence and is liable to be proceeded against and dealt with accordingly.
- (9) For the purposes of subsections (2)(b) and (8)(b), the commission of an offence is attributable to neglect on the part of an officer or partner only if that person ought reasonably to have known of the facts giving rise to the offence.
- (10) In this section—
- “offence” means an offence under section 1;
  - “partner” includes a person purporting to act as a partner.

**Changes to legislation:**

There are currently no known outstanding effects for the Specialist Printing Equipment and Materials (Offences) Act 2015, Section 3.