
STATUTORY INSTRUMENTS

2015 No. 1896

The Single Common Market Organisation (Emergency Aid for Milk Producers) Regulations 2015

Proceedings against partnerships and unincorporated associations

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

(2) For the purposes of such proceedings the following apply as if the partnership or unincorporated association were a body corporate—

- (a) rules of court relating to the service of documents;
- (b) section 33 of the Criminal Justice Act 1925(1) (procedure on charge of offence against a corporation) and Schedule 3 to the Magistrates' Courts Act 1980 (corporations)(2);
- (c) section 70 of the Criminal Procedure (Scotland) Act 1995 (proceedings against organisations) (3) and section 143 of that Act (prosecution of companies, etc.)(4); and
- (d) section 18 of the Criminal Justice Act (Northern Ireland) 1945 (procedure on charge)(5) and Schedule 4 to the Magistrates' Courts (Northern Ireland) Order 1981 (corporations)(6).

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

(1) 1925 c.86; section 33 was amended by the Magistrates' Courts Act 1952 (c.55), section 132 and Schedule 6, the Courts Act 1971 (c. 23), Schedule 8, Part 2, paragraph 19, and the Courts Act 2003 (c.39), Schedule 8, paragraph 71 and Schedule 10.

(2) 1980 c.43; Schedule 3 was amended by the Criminal Justice Act 1991 (c.53), section 25(2) and Schedule 13, and the Criminal Justice Act 2003 (c.44), Schedule 3, Part 2, paragraph 51(13) and Schedule 37, Part 4.

(3) 1995 c.46; section 70 was amended by the Criminal Procedure (Amendment) (Scotland) Act 2004 (asp 5), Part 3, section 10(6), the Criminal Proceedings etc. (Reform) (Scotland) Act 2007 (asp 6), Part 2, section 28, the Criminal Justice and Licensing (Scotland) Act 2010 (asp 13), Part 3, section 66, the Partnerships (Prosecution) (Scotland) Act 2013 (c.21), section 6(4) and S.I. 2001/1149.

(4) Section 143 was amended by the Criminal Proceedings etc. (Reform) (Scotland) Act 2007, Part 2, section 17, the Criminal Justice and Licensing (Scotland) Act 2010, Part 3, section 67, and S.I. 2001/128.

(5) 1945 c.15 (NI).

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

Changes to legislation:

There are currently no known outstanding effects for the The Single Common Market Organisation (Emergency Aid for Milk Producers) Regulations 2015, Section 13.