

# Criminal Justice and Licensing (Scotland) Act 2010 2010 asp 13

# PART 3

## CRIMINAL PROCEDURE

VALID FROM 28/03/2011

Prosecution of organisations

## 65 Meaning of "organisation"

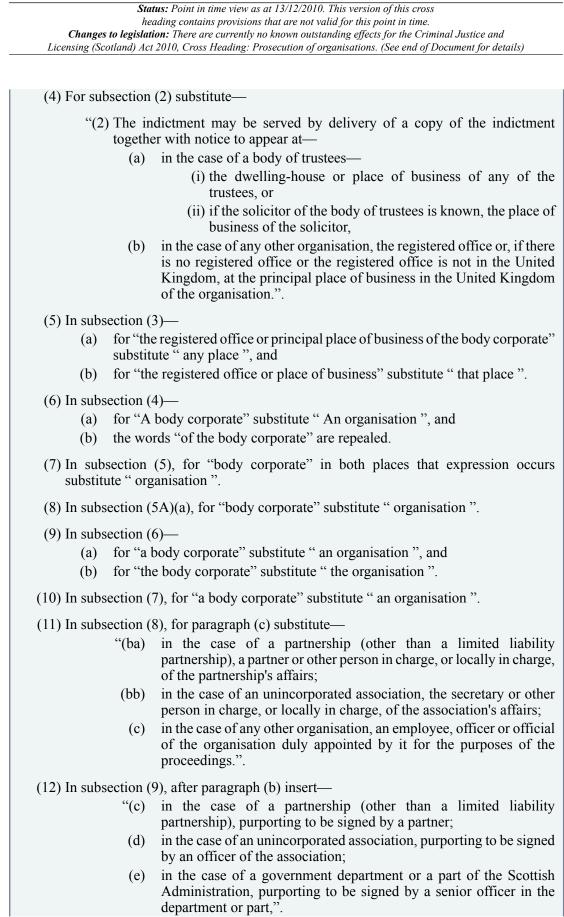
In section 307(1) of the 1995 Act (interpretation), after the definition of "order for lifelong restriction", insert—

"organisation" means-

- (a) a body corporate;
- (b) an unincorporated association;
- (c) a partnership;
- (d) a body of trustees;
- (e) a government department;
- (f) a part of the Scottish Administration;
- (g) any other entity which is not an individual;".

## 66 Proceedings on indictment against organisations

- (1) The title of section 70 of the 1995 Act (proceedings against bodies corporate) is amended by substituting " organisations " for "bodies corporate".
- (2) Section 70 of that Act is amended as follows.
- (3) In subsection (1), for "a body corporate" substitute " an organisation ".



Status: Point in time view as at 13/12/2010. This version of this cross heading contains provisions that are not valid for this point in time. Changes to legislation: There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Cross Heading: Prosecution of organisations. (See end of Document for details)

67	Prosecution of organisations by summary procedure
	(1) Section 143 of 1995 Act (prosecution of companies etc.) is amended as follows.
	<ul><li>(2) In subsection (1), for "a partnership, association, body corporate or body of trustees" substitute " an organisation ".</li></ul>
	(3) In subsection (2), for "partnership, association, body corporate or body of trustees in their" substitute " organisation in its ".
	<ul><li>(4) In subsection (4), for "A partnership, association, body corporate or body of trustees" substitute "An organisation".</li></ul>
	<ul><li>(5) In subsection (5)(b), for "of the partnership, association, body corporate or body of trustees" substitute ", officer or official of the organisation ".</li></ul>
	<ul> <li>(6) In subsection (6), after paragraph (d) insert—</li> <li>"(e) in the case of a government department or part of the Scottish Administration, purporting to be signed by a senior officer in the department or part,".</li> </ul>
	<ul> <li>(7) In subsection (7)— <ul> <li>(a) for "a partnership, association, body corporate or body of trustees" substitute "an organisation",</li> <li>(b) for "partnership, association, body corporate or (as the case may be) body of trustees" substitute " organisation ".</li> </ul> </li> </ul>
68	Manner of citation of organisations in summary proceedings
	In section 141 of the 1995 Act (manner of citation), in subsection (2)(b), for "a partnership, association or body corporate" substitute " an organisation other than a body of trustees ".

### Status:

Point in time view as at 13/12/2010. This version of this cross heading contains provisions that are not valid for this point in time.

#### **Changes to legislation:**

There are currently no known outstanding effects for the Criminal Justice and Licensing (Scotland) Act 2010, Cross Heading: Prosecution of organisations.