

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"

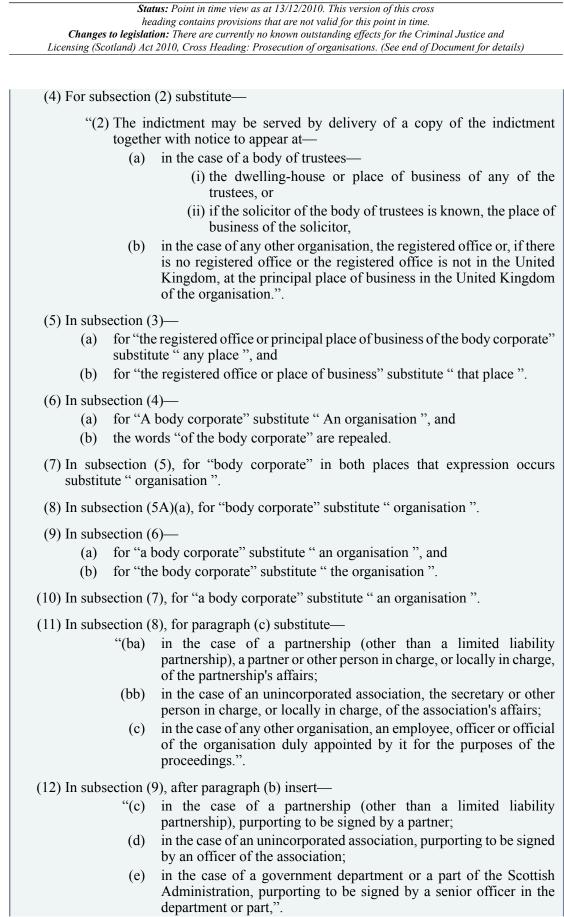
In section 307(1) of the 1995 Act (interpretation), after the definition of "order for lifelong restriction", insert—

"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Status: Point in time view as at 13/12/2010.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.
	(2) In subsection (1), for "a partnership, association, body corporate or body of trustees" substitute " an organisation ".
	(3) In subsection (2), for "partnership, association, body corporate or body of trustees in their" substitute " organisation in its ".
	(4) In subsection (4), for "A partnership, association, body corporate or body of trustees" substitute "An organisation".
	(5) In subsection (5)(b), for "of the partnership, association, body corporate or body of trustees" substitute ", officer or official of the organisation ".
	 (6) In subsection (6), after paragraph (d) insert— "(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,".
	 (7) In subsection (7)— (a) for "a partnership, association, body corporate or body of trustees" substitute "an organisation", (b) for "partnership, association, body corporate or (as the case may be) body of trustees" substitute " organisation ".
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.