
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 244

**The African Horse Sickness
Regulations (Northern Ireland) 2013**

PART VIII

INSPECTION, ENFORCEMENT AND MISCELLANEOUS PROVISIONS

Offences by partnerships and unincorporated associations

35.—(1) Proceedings for an offence under these Regulations alleged to have been committed by a partnership or 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—

- (a) rules of court relating to the service of documents are to have effect as if the partnership or association were a body corporate; and
- (b) section 18 of the Criminal Justice Act (Northern Ireland) 1945⁽¹⁾ (procedure on charge) and Schedule 4 to the Magistrates' Courts (Northern Ireland) Order 1981⁽²⁾ (corporations) apply in relation to the partnership or association as they apply in relation to a body corporate.

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

(4) If an offence under these Regulations committed by a partnership is proved—

- (a) to have been committed with the consent or connivance of; or
- (b) to be attributable to any 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 punished accordingly.

(5) For these purposes, “partner” includes a person purporting to act as a partner.

(6) If an offence under these Regulations committed by an unincorporated association is proved—

- (a) to have been committed with the consent or connivance of; or
- (b) to be attributable to any neglect on the part of, an officer of the association,

the officer, as well as the association, is guilty of the offence and is liable to be proceeded against and punished accordingly.

(7) In paragraph (6), “officer”, in relation to an unincorporated association, means—

- (a) an officer of the association or a member of its governing body; or
- (b) a person purporting to act in such capacity.

(1) 1945 c. 15 (N.I.); section 18 was amended by the Magistrates' Courts Act (Northern Ireland) 1964 (c. 21) and by the Justice (Northern Ireland) Act 2002 (c. 26), Schedule 12

(2) S.I. 1981/1675 (N.I. 26) (as amended)

Changes to legislation: There are currently no known outstanding effects for the The African Horse Sickness Regulations (Northern Ireland) 2013, Section 35. (See end of Document for details)

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Commencement Information

II [Reg. 35](#) in operation at 18.11.2013, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The African Horse Sickness Regulations (Northern Ireland) 2013, Section 35.