



Private Security Industry Act 2001

2001 CHAPTER 12

Supplemental

23 Criminal liability of directors etc

[^{F1}(1)] Where an offence under any provision of this Act is committed by a body corporate and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—

- (a) a director, manager, secretary or other similar officer of the body corporate, or
- (b) any person who was purporting to act in any such capacity,

he (as well as the partnership) shall be guilty of that offence and liable to be proceeded against and punished accordingly.

[^{F2}(2) Where an offence under any provision of this Act is committed by a Scottish partnership and is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—

- (a) a partner; or
- (b) any person who was purporting to be a partner,

he (as well as the partnership) shall be guilty of that offence and liable to be proceeded against and punished accordingly.]

Textual Amendments

- F1** S. 23 renumbered as s. 23(1) (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\), s. 178\(6\)\(b\), Sch. 15 para. 10](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)
- F2** S. 23(2) added (30.6.2006 for S., 6.7.2006 for E.W.) by [Serious Organised Crime and Police Act 2005 \(c. 15\), s. 178\(6\)\(b\), Sch. 15 para. 10](#); S.S.I. 2006/381, art. 2(a)(i)(b)(i)

Commencement Information

- I1** S. 23 in force at 1.2.2004 by [S.I. 2003/2710, art. 3\(k\)](#)
- I2** S. 23 in force at 6.7.2006 for S. by [S.S.I. 2006/382, art. 3\(a\)](#)
- I3** S. 23 in force at 1.5.2009 for N.I. by [S.I. 2009/1058, art. 3](#)

Changes to legislation:

Private Security Industry Act 2001, Section 23 is up to date with all changes known to be in force on or before 26 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. View outstanding changes

Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing SI 2005/243, arts. 2(c), 4 by [S.I. 2005/362 art. 2](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4A4B and cross-heading inserted by [2010 c. 17 s. 42\(2\)](#)
- s. 4A(9)(a) words substituted by [2020 c. 17 Sch. 24 para. 443\(1\)](#) (This amendment not applied to [legislation.gov.uk](#). The insertion of s. 4A by 2010 c. 17, s. 42(2) is still prospective.)
- s. 6(1A) inserted by [2010 c. 17 s. 42\(3\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 44 repealed (1.10.2012) without ever being in force by 2012 c. 9, Sch. 10 Pt. 3; S.I. 2012/2075, art. 3(h))
- s. 8(9) inserted by [2010 c. 17 Sch. 1 para. 8](#)
- s. 9(2A)-(2C) inserted by [2010 c. 17 s. 42\(4\)](#)
- s. 14(1A) inserted by [2010 c. 17 s. 43\(3\)\(c\)](#)
- s. 15(1)(1A) substituted for s. 15(1) by [2010 c. 17 s. 43\(4\)](#)
- s. 17(1)(b) and word inserted by [2010 c. 17 s. 43\(8\)\(b\)](#)
- s. 19(1)(b) and word inserted by [2010 c. 17 s. 42\(5\)\(b\)](#)
- s. 19(8)(b)(ba) substituted for s. 19(8)(b) by [2010 c. 17 Sch. 1 para. 9](#)
- s. 22A inserted by [2010 c. 17 s. 44\(2\)](#) (This amendment not applied to [legislation.gov.uk](#). S. 42(3) repealed (1.10.2012) without ever being in force by 2012 c. 9, Sch. 10 Pt. 3; S.I. 2012/2075, art. 3(h))
- s. 22B inserted by 2010 c. 17 s. 44(2) (as substituted) by [S.I. 2012/2595 art. 22\(4\)](#) (2010 c. 17, s. 44 which make's the insertion of s. 22B was never brought into force and was partially repealed 1.10.2012 for E and W by 2012 c. 9, Sch. 10 Pt. 3 Si 2012/2075, art. 3(e)(h))
- s. 23(3) inserted by [2010 c. 17 s. 42\(6\)](#)
- s. 23A inserted by [2010 c. 17 Sch. 1 para. 10](#)
- s. 25(1A) inserted by [2010 c. 17 s. 42\(7\)](#)