



Partnerships (Prosecution) (Scotland) Act 2013

2013 CHAPTER 21

Prosecution after change in membership

4 Prosecution of partnership after change in membership

- (1) This section and section 5 apply where—
 - (a) there is a change in the membership of a partnership,
 - (b) the partnership continues to carry on business after the change, and
 - (c) an offence is alleged to have been committed by the partnership before the change.
- (2) The partnership may be prosecuted, or continue to be prosecuted, for the offence.
- (3) For the purposes of this section and section 5, any enactment or rule of law, by virtue of which a change in membership of a partnership results in a new partnership being constituted, does not apply.
- (4) In this section and section 5, there is a change in the membership of a partnership where—
 - (a) a partner dies or, if not an individual, ceases to exist,
 - (b) a partner resigns, retires or is expelled from the partnership, or
 - (c) a person is admitted as a partner into the partnership.

Changes to legislation:

There are currently no known outstanding effects for the Partnerships (Prosecution) (Scotland) Act 2013, Section 4.