

Changes to legislation: Energy Act 2013, Cross Heading: Offences by partnerships is up to date with all changes known to be in force on or before 20 June 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. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 10 **U.K.**

PROVISIONS RELATING TO OFFENCES

Modifications etc. (not altering text)

- C1** Sch. 10 excluded (1.4.2014) by [The Energy Act 2013 \(Office for Nuclear Regulation\) \(Consequential Amendments, Transitional Provisions and Savings\) Order 2014 \(S.I. 2014/469\)](#), art. 1(2), **Sch. 1 para. 4** (with Sch. 4)

Offences by partnerships

- 8 (1) Proceedings for an offence alleged to have been committed by a partnership may be brought in the name of the partnership.
- (2) Rules of court relating to the service of documents have effect in relation to proceedings for an offence as if the partnership were a body corporate.
- (3) For the purposes of such proceedings the following provisions apply as they apply in relation to a body corporate—
- (a) section 33 of the Criminal Justice Act 1925 and Schedule 3 to the Magistrates' Courts Act 1980, and
 - (b) section 18 of the Criminal Justice Act (Northern Ireland) 1945 and Schedule 4 to the Magistrates' Courts (Northern Ireland) Order 1981 (S.I. 1981/1675 (N.I. 26)).
- (4) A fine imposed on a partnership on its conviction for an offence is to be paid out of the partnership assets.
- (5) Where an offence committed by a partnership is proved—
- (a) to have been committed with the consent or connivance of a partner, or
 - (b) to be attributable to 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 dealt with accordingly.
- (6) In this paragraph “partner” includes a person purporting to act as a partner.

Commencement Information

- II** [Sch. 10 para. 8](#) in force at 1.4.2014 by [S.I. 2014/251](#), **art. 4**

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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. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)