



Immigration Act 2016

2016 CHAPTER 19

PART 1

LABOUR MARKET AND ILLEGAL WORKING

CHAPTER 1

LABOUR MARKET

LME undertakings and orders: supplementary

30 Application to partnerships

- (1) If an offence under section 27 committed by a partner of a partnership which is not regarded as a legal person is shown—
 - (a) to have been committed with the consent or connivance of another partner, or
 - (b) to be attributable to any neglect on the part of another partner,that other partner, as well as the first-mentioned partner, is guilty of the offence and liable to be proceeded against and punished accordingly.
- (2) Proceedings for an offence under section 27 alleged to have been committed by a partnership which is regarded as a legal person may be brought against the partnership in the firm name.
- (3) For the purposes of such proceedings—
 - (a) rules of court relating to the service of documents have effect as if the partnership were a body corporate, and
 - (b) the following provisions apply as they apply in relation to a body corporate—
 - (i) section 33 of the Criminal Justice Act 1925 and Schedule 3 to the Magistrates' Courts Act 1980;
 - (ii) sections 70 and 143 of the Criminal Procedure (Scotland) Act 1995;

Status: This is the original version (as it was originally enacted).

- (iii) section 18 of the [Criminal Justice Act \(Northern Ireland\) 1945 \(c. 15 \(N.I.\)\)](#) 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 of an offence is to be paid out of the funds of the partnership.
- (5) If an offence under section 27 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 any neglect on the part of a partner,
- the partner, as well as the partnership, is guilty of the offence and liable to be proceeded against and punished accordingly.
- (6) In subsections (1) and (5) “partner” includes a person purporting to act as a partner.
- (7) For the purposes of this section a partnership is, or is not, “regarded as a legal person” if it is, or is not, so regarded under the law of the country or territory under which it was formed.