



# National Security and Investment Act 2021

## 2021 CHAPTER 25

### PART 3

#### ENFORCEMENT AND APPEALS

##### *Prosecution and penalties*

#### **38 Proceedings against partnerships etc**

- (1) Proceedings for an offence under this Act may be brought—
  - (a) where the offence is alleged to have been committed by a partnership, against the partnership in the firm name,
  - (b) where the offence is alleged to have been committed by an unincorporated association other than a partnership, against the association in its own name.
- (2) Rules of court relating to the service of documents have effect in relation to such proceedings as if the partnership or unincorporated association 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,
  - (b) section 18 of the [Criminal Justice Act \(Northern Ireland\) 1945 \(c. 15 \(N.I.\)\)](#) and Schedule 4 to the Magistrates' Court (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) A fine imposed on an unincorporated association other than a partnership on its conviction for an offence is to be paid out of the funds of the association.