

# **Specialist Printing Equipment and Materials (Offences) Bill**

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## EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by the Home Office with the consent of Charlie Elphicke, the Member in charge, are published separately as Bill 76 – EN.

# Specialist Printing Equipment and Materials (Offences) Bill

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**B I L L**

TO

Make provision for an offence in respect of supplies of specialist printing equipment and related materials; and for connected purposes.

**B**E IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

**1 Offence of supplying specialist printing equipment knowing it will be used for criminal purposes**

- (1) A person commits an offence if—
- (a) the person supplies any specialist printing equipment, and
  - (b) in making the supply, the person knows that the equipment will be or is intended to be used for the purposes of criminal conduct. 5
- (2) “Criminal conduct” means conduct that constitutes a criminal offence (whether or not in England and Wales).
- (3) An individual guilty of an offence under this section is liable on conviction on indictment to imprisonment for a term not exceeding 10 years, or to a fine, or to both. 10
- (4) Any other person guilty of an offence under this section is liable on conviction on indictment to a fine.
- (5) It is a defence for a person charged with an offence under this section to prove that the person’s conduct was necessary for the proper exercise of any function of the police. 15

**2 Meaning of “specialist printing equipment”**

- (1) In this Act, “specialist printing equipment” means any equipment which is designed or adapted for, or is otherwise capable of being used for, the making of relevant documents (including any material or article that is used in the making of such documents). 20
- (2) A “relevant document” is anything that is or purports to be—
- (a) an identity document;

- (b) a travel document;
- (c) an entry document;
- (d) a document used for verifying the holder's age or national insurance number;
- (e) a currency note or protected coin, as defined by section 27(1) of the Forgery and Counterfeiting Act 1981; 5
- (f) a debit or credit card;
- (g) any other instrument to which section 5 of the Forgery and Counterfeiting Act 1981 applies (money orders, etc).
- (3) In subsection (2)(a), "identity document" means – 10
- (a) a document used for confirming the right of a person under the EU Treaties in respect of entry or residence in the United Kingdom;
- (b) a document that is given in the exercise of immigration functions and records information about leave granted to a person to enter or remain in the United Kingdom; 15
- (c) a registration card (within the meaning of section 26A of the Immigration Act 1971);
- (d) a United Kingdom passport (within the meaning of the Immigration Act 1971);
- (e) a passport, or other document used for the purposes of establishing identity, issued by or on behalf of the authorities of a country or territory outside the United Kingdom or by or on behalf of an international organisation; 20
- (f) a document that can be used (in some or all circumstances) instead of a passport. 25
- (4) In subsection (2)(b), "travel document" means –
- (a) a licence to drive a motor vehicle granted under Part 3 of the Road Traffic Act 1988 or under Part 2 of the Road Traffic (Northern Ireland) Order 1981;
- (b) a driving licence issued by or on behalf of the authorities of a country or territory outside the United Kingdom or by or on behalf of an international organisation; 30
- (c) a ticket or other document authorising travel on public passenger transport services;
- (d) a permit authorising travel on public passenger transport services at a concession; 35
- (e) a badge of a form prescribed under section 21 of the Chronically Sick and Disabled Persons Act 1970 (blue badge scheme) or a recognised badge for the purposes of section 21A of that Act.
- (5) In subsection (2)(c), "entry document" means any document used for the purpose of authorising the holder to enter any premises (or part of premises), including – 40
- (a) a security pass or other document used in that capacity, and
- (b) a ticket, or other document used in that capacity, to a sporting or other event. 45
- (6) In this section –
- "equipment" includes any device, machinery or apparatus and any wire or cable, together with any software used with it;

“document” means information recorded in any form (including stamps or labels);

“immigration functions” means functions under the Immigration Acts (within the meaning of the Asylum and Immigration (Treatment of Claimants, etc) Act 2004);

“premises” includes any land;

“public passenger transport services” has the same meaning as in the Transport Act 1985 (see section 63(10) of that Act).

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### 3 Offences by bodies corporate and partnerships

- (1) For the purposes of section 1(1) a body (whether corporate or not) is to be treated as knowing a fact about a supply of equipment if a person who has responsibility within the body for the supply knows of the fact. 10
- (2) Where an offence committed by a body corporate is proved –
- (a) to have been committed with the consent or connivance of an officer of the body corporate, or 15
- (b) to be attributable to neglect on the part of an officer of the body corporate,
- that officer (as well as the body corporate) is guilty of the offence and is liable to be proceeded against and dealt with accordingly.
- (3) “Officer”, in relation to a body corporate, means – 20
- (a) any director, manager, secretary or other similar officer of the body corporate, or
- (b) any person purporting to act in any such capacity;
- and for this purpose “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate. 25
- (4) Proceedings for an offence alleged to have been committed by a partnership may be brought in the name of the partnership.
- (5) Rules of court relating to the service of documents have effect in relation to such proceedings as if the partnership were a body corporate.
- (6) For the purposes of such proceedings section 33 of the Criminal Justice Act 1925 and Schedule 3 to the Magistrates’ Courts Act 1980 apply as they apply in relation to a body corporate. 30
- (7) A fine imposed on a partnership on its conviction for an offence is to be paid out of the partnership assets.
- (8) Where an offence committed by a partnership is proved – 35
- (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 an offence and is liable to be proceeded against and dealt with accordingly.
- (9) For the purposes of subsections (2)(b) and (8)(b), the commission of an offence is attributable to neglect on the part of an officer or partner only if that person ought reasonably to have known of the facts giving rise to the offence. 40
- (10) In this section –
- “offence” means an offence under section 1;
- “partner” includes a person purporting to act as a partner. 45

**4 Application to Crown**

This Act applies to individuals in the public service of the Crown as it applies to other individuals.

**5 Extent, commencement and short title**

- (1) This Act extends to England and Wales only. 5
- (2) Her Majesty may by order in Council provide for this Act to extend with or without modifications to the Isle of Man.
- (3) This Act comes into force two months after the day on which this Act is passed.
- (4) Nothing in this Act applies in relation to supplies of specialist printing equipment before that day. 10
- (5) This Act may be cited as the Specialist Printing Equipment and Materials (Offences) Act 2014.

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## B I L L

To make provision for an offence in respect of supplies of specialist printing equipment and related materials; and for connected purposes.

*Presented by Charlie Elphicke.*

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*Ordered, by The House of Commons,  
to be Printed, 24 June 2013.*

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