



# Housing (Scotland) Act 2010

## 2010 asp 17

### PART 17

#### SUPPLEMENTARY AND FINAL PROVISIONS

#### **159 Offences by bodies corporate etc.**

(1) Where—

- (a) an offence under this Act has been committed by—
  - (i) a social landlord, or
  - (ii) a body corporate, or a Scottish partnership or other unincorporated association, other than a social landlord, and
- (b) it is proved that the offence was committed with the consent or connivance of, or was attributable to any neglect on the part of—
  - (i) a relevant individual, or
  - (ii) an individual purporting to act in the capacity of a relevant individual, that individual as well as the offender is guilty of the offence and is liable to be proceeded against and punished accordingly.

(2) In subsection (1), “relevant individual” means—

- (a) in relation to a registered social landlord, an officer of the registered social landlord,
- (b) in relation to a local authority, an officer or member of the local authority,
- (c) in relation to a body corporate other than a local authority or registered social landlord—
  - (i) a director, manager, secretary or other similar officer of the body,
  - (ii) where the affairs of the body are managed by its members, the members,
- (d) in relation to a Scottish partnership, a partner, and
- (e) in relation to an unincorporated association other than a Scottish partnership, a person who is concerned in the management or control of the association.