

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2009 No. 317**

The Sea Fishing (Enforcement of Community Quota and Third Country Fishing Measures and Restriction on Days at Sea) (Scotland) Order 2009

PART V  
ENFORCEMENT

**Offences by bodies corporate**

- 19.**—(1) Where an offence under this Order is committed—
- (a) by a body corporate, and it is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of any—
    - (i) director, manager, secretary or similar officer of the body corporate; or
    - (ii) person purporting to act in any such capacity;
  - (b) by a Scottish partnership, and it is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of any—
    - (i) partner; or
    - (ii) person purporting to act in that capacity; or
  - (c) by an unincorporated association (other than a Scottish partnership), and it is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of any—
    - (i) officer of the association or any member of its governing body; or
    - (ii) person purporting to act in any such capacity,

that person (as well as the body corporate, Scottish partnership or, as the case may be, unincorporated association) is guilty of the offence and is liable to be proceeded against and punished accordingly.

(2) For the purposes of this Order, “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.