



# Health Act 2006

## 2006 CHAPTER 28

### PART 7

#### FINAL PROVISIONS

##### *Offences*

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

- (1) If an offence committed by a body corporate is proved—
  - (a) to have been committed with the consent or connivance of an officer, or
  - (b) to be attributable to any neglect on his part,the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.
- (2) In subsection (1) “officer”, in relation to the body corporate, means a director, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity.
- (3) If the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (4) If an offence 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 his part,the partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.
- (5) In subsection (4) “partner” includes a person purporting to act as a partner.
- (6) If an offence committed by an unincorporated association (other than a partnership) is proved—

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*Changes to legislation: There are currently no known outstanding effects for the Health Act 2006, Section 76. (See end of Document for details)*

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- (a) to have been committed with the consent or connivance of an officer of the association or a member of its governing body, or
  - (b) to be attributable to any neglect on the part of such an officer or member, the officer or member as well as the association is guilty of the offence and liable to be proceeded against and punished accordingly.
- (7) In this section and section 77 “offence” means an offence under any provision of this Act.

#### **Commencement Information**

- I1** S. 76 in force at 1.2.2007 for specified purposes for W. by [S.I. 2007/204, art. 3\(c\)](#)
- I2** S. 76 in force at 2.4.2007 for specified purposes for W. by [S.I. 2007/204, art. 2\(c\)](#)
- I3** S. 76 in force at 1.7.2007 for specified purposes for E. by [S.I. 2007/1375, art. 2\(b\)](#)
- I4** S. 76 in force at 22.4.2008 for specified purposes by [S.I. 2008/1147, art. 3\(b\)](#)
- I5** S. 76 in force at 22.4.2008 for specified purposes for E.S. by [S.I. 2008/1147, art. 3\(c\)](#)
- I6** [S. 76](#) in force at 13.12.2008 for specified purposes for W. by [S.I. 2008/3171, art. 2\(b\)](#)
- I7** [S. 76](#) in force at 1.8.2012 for specified purposes for N.I. by [S.R. 2012/307, art. 2\(b\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Health Act 2006, Section 76.