



# Prevention of Damage by Pests Act 1949

1949 CHAPTER 55 12 13 and 14 Geo 6

## PART III

### SUPPLEMENTAL

#### 26 Legal proceedings.

- (1) Proceedings for an offence under this Act shall not, in England and Wales, be instituted except by or with the consent of the Minister or the local authority.
- (2) Where an offence under this Act is committed by a body corporate, every person who, at the time of the commission of the offence, was a director, general manager, secretary or other similar officer of the body corporate, or was purporting to act in any such capacity, shall be deemed to be guilty of that offence unless he proves that it was committed without his consent or connivance and that he exercised any such diligence to prevent its commission as he ought to have exercised having regard to the nature of his functions in that capacity and to all the circumstances.
- (3) For the purposes of the last foregoing subsection, the expression “director”, in relation to any body corporate established by or under any enactment for the purpose of carrying on under national ownership any industry or part of an industry or undertaking, being a body corporate whose affairs are managed by the members thereof, means a member of that body.

**Changes to legislation:**

There are currently no known outstanding effects for the Prevention of Damage by Pests Act 1949, Section 26.