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STATUTORY INSTRUMENTS

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**2016 No. 1105**

**The Pressure Equipment (Safety) Regulations 2016**

**PART 5**

Market surveillance and enforcement

**Liability of persons other than principal offender**

**79.**—(1) Where the commission of an offence under regulation 76 (offences) is due to anything which another person did or failed to do in the course of business, that other person is guilty of the offence and may be proceeded against and punished, whether or not proceedings are taken against the first person.

(2) Where a body corporate commits an offence, a relevant person is also guilty of the offence where the offence was committed by the body corporate—

- (a) with the consent or connivance of the relevant person; or
- (b) as a result of the negligence of the relevant person.

(3) In paragraph (2), “relevant person” means—

- (a) a director, manager, secretary or other similar officer of the body corporate;
- (b) in relation to a body corporate managed by its members, a member of that body corporate performing managerial functions;
- (c) in relation to a Scottish partnership, a partner; or
- (d) a person purporting to act as a person described in sub-paragraphs (a), (b) or (c).

**Changes to legislation:**

There are currently no known outstanding effects for the The Pressure Equipment (Safety) Regulations 2016, Section 79.