



Adult Support and Protection (Scotland) Act 2007 2007 asp 10

PART 1

PROTECTION OF ADULTS AT RISK OF HARM

Other provisions

50 Offences by bodies corporate etc.

(1) Where—

- (a) an offence under this Part has been committed by—
 - (i) a body corporate,
 - (ii) a Scottish partnership, or
 - (iii) an unincorporated association other than a Scottish partnership, 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 person, or
 - (ii) a person purporting to act in the capacity of a relevant person,

that person as well as the body corporate, 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) In subsection (1), “relevant person” means—

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