

*These notes relate to the Wild Animals in Travelling Circuses (Scotland)
Act 2018 (asp 3) which received Royal Assent on 24 January 2018*

WILD ANIMALS IN TRAVELLING CIRCUSES (SCOTLAND) ACT 2018

EXPLANATORY NOTES

THE ACT

Individual culpability where organisation commits offence

17. **Section 6** makes provision for certain persons associated with different types of organisations to be held criminally liable for committing the offence under section 1 even though it is the organisation that has committed the offence. For that to happen, those persons (referred to in section 6 as “responsible individuals”) must have consented to, or connived in, the organisation’s commission of the offence, or have been guilty of neglect resulting in the organisation’s committing the offence. Section 6(4) sets out a table explaining which type of person is a “relevant person” in relation to different types of organisation listed in the table. For example, the director or secretary of a company, and a partner in a firm, are relevant persons, so potentially have criminal liability for offences under section 1 committed by their business.