



Wild Animals in Travelling Circuses (Scotland) Act 2018

2018 asp 3

Individual liability for organisational offending

6 Individual culpability where organisation commits offence

- (1) This section applies where—
- (a) an offence under section 1 is committed by a relevant organisation, and
 - (b) the commission of the offence—
 - (i) involves consent or connivance on the part of a responsible individual, or
 - (ii) is attributable to neglect on the part of a responsible individual.
- (2) The responsible individual (as well as the relevant organisation) commits the offence.
- (3) For the purposes of this section—
- (a) “relevant organisation” means an organisation listed in the first column of the table in subsection (4),
 - (b) “responsible individual” means, in relation to a relevant organisation—
 - (i) an individual falling within the corresponding entry in the second column of the table in subsection (4), or
 - (ii) an individual purporting to act in the capacity of an individual falling within the corresponding entry.
- (4) The table is as follows—

<i>Organisation</i>	<i>Individual</i>
company as mentioned in section 1 of the Companies Act 2006	director, manager, secretary or other similar officer member, where the company’s affairs are managed by its members
limited liability partnership	member
other partnership	partner

Status: This is the original version (as it was originally enacted).

<i>Organisation</i>	<i>Individual</i>
any other body or association	individual who is concerned in the management or control of its affairs