

DRAFT SCOTTISH STATUTORY INSTRUMENTS

**2021 No.**

**The Land Reform (Scotland) Act 2016 (Register of Persons Holding a Controlled Interest in Land) Regulations 2021**

**PART 4**

Miscellaneous

*Offences*

**Individual culpability where organisation commits offence**

22.—(1) This regulation applies if—

- (a) an offence under these Regulations is committed by an organisation of a type specified in column 1 of the table in paragraph (3), and
- (b) the commission of the offence—
  - (i) involves consent or connivance on the part of an individual holding a position in the organisation that is specified in column 2 of that table for that type of organisation or purports to act in that capacity, or
  - (ii) is attributable to neglect on the part of such an individual.

(2) The individual referred to in paragraph (b) (as well as the organisation) commits the offence and is liable to the same penalty as any other individual committing the offence.

(3) The table is as follows—

<i>Organisation</i> <i>(Column 1)</i>	<i>Individual</i> <i>(Column 2)</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
any other body or association	individual who is concerned in the management or control of its affairs.