
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 85

The Aquatic Animal Health (Scotland) Regulations 2009

PART 6

ENFORCEMENT, APPEALS AND PENALTIES

Offences by bodies corporate

- 42.**—(1) Where an offence under these Regulations committed—
- (a) by a body corporate, is shown to have been committed with the consent or connivance of, or is attributable to any neglect on the part of a person who—
 - (i) is a director, manager, secretary or other similar person of the body corporate; or
 - (ii) was purporting to act in any such capacity,
 - (b) by a Scottish partnership, is committed with the consent or connivance of, or is attributable to any neglect on the part of a person who—
 - (i) is a partner, or
 - (ii) was purporting to act in that capacity; or
 - (c) by an unincorporated association other than a Scottish partnership, is committed with the consent or connivance of, or is attributable to any neglect on the part of, a person who—
 - (i) is concerned in the management or control of the association, or
 - (ii) was purporting to act in the capacity of a person so concerned,
- the individual (as well as the body corporate, Scottish 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) For the purposes of this regulation, “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.