
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 114

**The Agriculture, Land Drainage and
Irrigation Projects (Environmental Impact
Assessment) (Scotland) Regulations 2017**

PART 2

AGRICULTURE AND IRRIGATION PROJECTS

Offences by bodies corporate

45.—(1) Subsection (2) applies where—

- (a) an offence under these Regulations 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 neglect on the part of—
 - (i) a relevant individual; or
 - (ii) an individual purporting to act in the capacity of a relevant individual.

(2) The individual as well as the body corporate, Scottish partnership or unincorporated association commits an offence and is liable to be proceeded against and punished accordingly.

(3) In subsection (1), “relevant individual” means—

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