
SCOTTISH STATUTORY INSTRUMENTS

2021 No. 277

**The Health Protection (Coronavirus)
(Requirements) (Scotland) Regulations 2021**

PART 4

Enforcement

Offences and penalties

16.—(1) It is an offence for a person to contravene any of the requirements in these Regulations.

(2) It is an offence for a person to obstruct any person carrying out a function under these Regulations.

(3) It is an offence for a person to contravene a direction given under regulation 15.

(4) It is a defence to a charge of committing an offence under paragraph (1), (2) or (3) to show that the person, in the circumstances, had a reasonable excuse.

(5) A person who commits an offence under this regulation is liable, on summary conviction, to a fine not exceeding the statutory maximum.

(6) If an offence under this regulation committed by a body corporate is proved to—

- (a) have been committed with the consent or connivance of an officer of the body, or
- (b) be attributable to any neglect on the part of such an officer,

the officer (as well as the body corporate) commits the offence and is liable to be prosecuted and proceeded against and punished accordingly.

(7) In paragraph (6), “officer” in relation to a body corporate means in the case of—

- (a) a company—
 - (i) a director, secretary, manager or similar officer, or
 - (ii) where the affairs of the company are managed by its members, a member,
- (b) a limited liability partnership, a member,
- (c) a partnership other than a limited liability partnership, a partner, or
- (d) another body or association, a person who is concerned in the management or control of its affairs.