



Coal industry Act 1994

1994 CHAPTER 21

PART IV

GENERAL AND SUPPLEMENTAL

Supplemental

64 Offences by bodies corporate etc

- (1) Where a body corporate is guilty of an offence under this Act and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, any director, manager, secretary or other similar officer of the body corporate or any person who was purporting to act in any such capacity, then he, as well as the body corporate, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.
- (2) Where the affairs of a body corporate are managed by its members, subsection (1) above shall apply in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (3) Where any partnership in Scotland or any unincorporated association in Scotland which is not a partnership is guilty of an offence under this Act and that offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
 - (a) any partner in the partnership or, as the case may be, any person concerned in the management or control of the association, or
 - (b) any person purporting to act in any such capacity,then he, as well as the partnership or association, shall be guilty of that offence and shall be liable to be proceeded against and punished accordingly.