

*These notes refer to the Health and Social Care (Community Health and Standards) Act 2003 (c.43) which received Royal Assent on 20 November 2003*

# HEALTH AND SOCIAL CARE (COMMUNITY HEALTH AND STANDARDS) ACT 2003

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 2 –Standards**

#### *Chapter 10 – Supplementary and General*

#### **General**

#### *Section 146: Offences by bodies corporate*

304. This section provides that an individual may be held liable where a body corporate is judged to have committed an offence under this Part. *Subsection (2)* makes it clear that an individual may be proceeded against if they are a director, manager or secretary of a body corporate (or acting in such a capacity) found guilty of an offence, where the offence is judged to have occurred with their consent or connivance or be attributable to their neglect.