



Health and Social Care Act 2008

2008 CHAPTER 14

PART 1

THE CARE QUALITY COMMISSION

CHAPTER 6

MISCELLANEOUS AND GENERAL

Enforcement

91 Offences by bodies corporate

- (1) This section applies where a Part 1 offence is committed by a body corporate.
- (2) If the offence is proved to have been committed by, or with the consent or connivance of, or to be attributable to any neglect on the part of—
 - (a) any director, manager or secretary of the body corporate, or
 - (b) any person who was purporting to act in any such capacity,that director, manager, secretary or person purporting to act as such (as well as the body corporate) is guilty of the offence and liable to be proceeded against and punished accordingly.
- (3) The reference in subsection (2) to a director, manager or secretary of a body corporate includes a reference—
 - (a) to any other similar officer of the body, and
 - (b) where the body is an English NHS body or English local authority, to any officer or member of the NHS body or local authority.

Changes to legislation: There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 91. (See end of Document for details)

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Commencement Information

II S. 91 in force at 12.1.2009 for specified purposes by [S.I. 2008/3168](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Health and Social Care Act 2008, Section 91.