

*These notes refer to the Energy Act 2008 (c.32)
which received Royal Assent on 26 November 2008*

ENERGY ACT 2008

EXPLANATORY NOTES

Part 6: General

Commentary on Sections

Section 103: Offences by bodies corporate etc

599. This section sets out the attribution of responsibility for offences under the Act by corporate bodies. *Subsection (1)* provides that an officer of a corporate body as well as the corporate body will be guilty of an offence if the officer agreed to, or knew about, the conduct constituting the offence, or if the offence was attributable to the officer's negligence.
600. Where a body corporate is managed by its members (for example, a limited liability partnership), by virtue of *subsection (2)*, *subsection (1)* applies to a member of the body corporate as it applies to an officer of a body corporate, provided the act or default in question was connected with the member's functions of management.
601. *Subsection (3)* provides for a partner in a firm, as well as the firm, to be liable for an offence, if the offence is committed by a Scottish firm.