
STATUTORY INSTRUMENTS

2016 No. 1101

The Electrical Equipment (Safety) Regulations 2016

PART 4

Market surveillance and enforcement

Liability of persons other than principal offender

53.—(1) Where the commission of an offence under regulation 50 is due to anything which another person did or failed to do in the course of business, that other person is guilty of the offence and may be proceeded against and punished, whether or not proceedings are taken against the first person.

(2) Where a body corporate commits an offence, a relevant person is also guilty of the offence where the offence was committed by the body corporate—

- (a) with the consent or connivance of the relevant person; or
- (b) as a result of the negligence of the relevant person.

(3) In paragraph (2), “relevant person” means—

- (a) a director, manager, secretary or other similar officer of the body corporate;
- (b) in relation to a body corporate managed by its members, a member of that body corporate performing managerial functions;
- (c) in relation to a Scottish partnership, a partner;
- (d) a person purporting to act as a person described in subparagraphs (a), (b) or (c).