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STATUTORY INSTRUMENTS

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**2016 No. 507**

The Tobacco and Related Products Regulations 2016

PART 9

Penalties and enforcement

**Offences by bodies corporate and Scottish partnerships**

- 52.—(1) If an offence under these Regulations committed by a body corporate is proved—
- (a) to have been committed with the consent or connivance of an officer; or
  - (b) to be attributable to any neglect on the officer's part,

the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.

(2) In paragraph (1) “officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity.

(3) If the affairs of a body corporate are managed by its members, paragraph (1) applies in relation to the acts and defaults of a member in connection with the member's functions of management as if that person were a director of the body corporate.

- (4) If an offence under these Regulations committed by a partnership in Scotland is proved—
- (a) to have been committed with the consent or connivance of a partner; or
  - (b) to be attributable to any neglect on the partner's part,

the partner as well as the partnership is guilty of the offence and is liable to be proceeded against and punished accordingly.

- (5) In paragraph (4) “partner” includes a person purporting to act as a partner.