



# Marine (Scotland) Act 2010

## 2010 asp 5

### PART 9

#### GENERAL PROVISIONS

#### **163 Offences by bodies corporate**

- (1) Where—
- (a) an offence under this Act has been committed by a body corporate or a Scottish partnership or other unincorporated association,
  - (b) it is proved that the offence was committed with the consent or connivance of, or was attributable to any neglect on the part of—
    - (i) a relevant individual, or
    - (ii) an individual purporting to act in the capacity of a relevant individual,the individual as well as the offender is guilty of the offence and is liable to be proceeded against and punished accordingly.
- (2) In subsection (1), “relevant individual” means—
- (a) in relation to a body corporate—
    - (i) a director, manager, secretary or other similar officer of the body,
    - (ii) where the affairs of the body are managed by its members, the members,
  - (b) in relation to a Scottish partnership, a partner,
  - (c) in relation to an unincorporated association other than a Scottish partnership, a person who is concerned in the management or control of the association.

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#### **Commencement Information**

- II** S. 163 in force at 1.7.2010 by [S.S.I. 2010/230](#), [art. 2\(g\)](#)

**Status:**

Point in time view as at 16/12/2021.

**Changes to legislation:**

There are currently no known outstanding effects for the Marine (Scotland) Act 2010, Section 163.