



# Public Services Reform (Scotland) Act 2010 2010 asp 8

## PART 5

### SOCIAL CARE AND SOCIAL WORK: SCRUTINY AND IMPROVEMENT

#### CHAPTER 3

##### CARE SERVICES

###### *Offences*

### **82 Offences by bodies corporate etc.**

Where an offence under this Chapter, or under regulations made under this Chapter, committed by—

- (a) a body corporate other than a local authority, is committed with the consent or connivance of, or is attributable to any neglect on the part of, a person who—
  - (i) is a director, manager or secretary of the body corporate, or
  - (ii) purports to act in any such capacity,
- (b) a local authority, is committed with the consent or connivance of, or is attributable to any neglect on the part of, a person who—
  - (i) is an officer or member of the authority, or
  - (ii) purports to act in any such capacity,
- (c) a firm, is committed with the consent or connivance of, or is attributable to any neglect on the part of, a person who—
  - (i) is a partner in the firm, or
  - (ii) purports to act in that capacity,
- (d) an unincorporated association other than a firm, is committed with the consent or connivance of, or is attributed to any neglect on the part of, a person who—
  - (i) is concerned in the management or control of the association, or
  - (ii) purports to act in the capacity of a person so concerned,

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**Status:** Point in time view as at 19/06/2024.

**Changes to legislation:** Public Services Reform (Scotland) Act 2010, Section 82 is up to date with all changes known to be in force on or before 20 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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the person (as well as the body corporate or as the case may be the local authority, firm or association) commits the offence and is liable to be proceeded against and punished accordingly.

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**Commencement Information**

- I1** S. 82 in force at 1.10.2010 for specified purposes by [S.S.I. 2010/321](#), [art. 3](#), [Sch.](#)  
**I2** S. 82 in force at 1.4.2011 in so far as not already in force by [S.S.I. 2011/122](#), [art. 2](#), [Sch.](#)

**Status:**

Point in time view as at 19/06/2024.

**Changes to legislation:**

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