



# Medicines and Medical Devices Act 2021

## 2021 CHAPTER 3

### PART 4

#### MEDICAL DEVICES

### CHAPTER 3

#### ENFORCEMENT

#### *Offences*

#### **30 Offences by bodies corporate**

- (1) Where an offence under section 28 committed by a body corporate or a Scottish partnership is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, an officer, the officer (as well as the body corporate or partnership) commits the offence and is liable to be proceeded against and punished accordingly.
- (2) In relation to a body corporate, “officer” means—
  - (a) a director, manager, secretary or other similar officer of the body, or
  - (b) a person purporting to act in any such capacity.
- (3) In subsection (2)(a), “director”, in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.
- (4) In relation to a Scottish partnership, “officer” means—
  - (a) a partner, or
  - (b) a person purporting to act as a partner.