
SCOTTISH STATUTORY INSTRUMENTS

2009 No. 173

The Swine Vesicular Disease (Scotland) Order 2009

PART 5

Inspection and enforcement

Offences by bodies corporate

43.—(1) Where a body corporate is guilty of an offence under this Order, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

- (a) an officer of the body corporate; or
- (b) any person who was purporting to act in such capacity,

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

(2) If the affairs of a body corporate are managed by its members, paragraph (1) applies in relation to the acts and defaults of members in connection with their functions of management as if they were directors of the body.

(3) “Officer”, in relation to a body corporate, means a director, member of the committee of management, chief executive, manager, secretary or other similar officer of the body, or a person purporting to act in any such capacity.

(4) “Body corporate” includes a Scottish partnership and, in relation to such a partnership, a reference to an officer of a body corporate is a reference to a partner.