
SCOTTISH STATUTORY INSTRUMENTS

2019 No. 310

The Bovine Viral Diarrhoea (Scotland) Order 2019

PART 4

Final provisions

Offences by bodies corporate

43.—(1) Where—

- (a) an offence against the Act in relation to this Order is 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 body corporate, Scottish partnership or unincorporated association commits an offence and is liable to be proceeded against and punished accordingly.

(2) In paragraph (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, a member,
- (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.