



Immigration and Asylum Act 1999

1999 CHAPTER 33

PART VI

SUPPORT FOR ASYLUM-SEEKERS

Offences

109 Supplemental.

- (1) If an offence under section 105, 106, 107 or 108 committed by a body corporate is proved—
 - (a) to have been committed with the consent or connivance of an officer, or
 - (b) to be attributable to neglect on his part,the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.
- (2) “Officer”, in relation to a body corporate, means a director, manager, secretary or other similar officer of the body, or a person purporting to act in such a capacity.
- (3) If the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts and defaults of a member in connection with his functions of management as if he were a director of the body corporate.
- (4) If an offence under section 105, 106, 107 or 108 committed by a partnership in Scotland is proved—
 - (a) to have been committed with the consent or connivance of a partner, or
 - (b) to be attributable to neglect on his part,the partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.
- (5) “Partner” includes a person purporting to act as a partner.

Status: Point in time view as at 11/11/1999.

Changes to legislation: Immigration and Asylum Act 1999, Section 109 is up to date with all changes known to be in force on or before 30 July 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)

Modifications etc. (not altering text)

- C1** S. 109 applied (prosp.) by [Nationality, Immigration and Asylum Act 2002 \(c. 41\)](#), **ss. 35(1)(e)**, 162(1) (with s. 159)

Status:

Point in time view as at 11/11/1999.

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