



Human Tissue Act 2004

2004 CHAPTER 30

PART 3

MISCELLANEOUS AND GENERAL

General

49 Offences by bodies corporate

- (1) Where an offence under this Act is committed by a body corporate and is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of—
 - (a) any director, manager, secretary or other similar officer of the body corporate, or
 - (b) any person who was purporting to act in any such capacity,he (as well as the body corporate) commits the offence and shall be liable to be proceeded against and punished accordingly.
- (2) Where 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.
- (3) Where an offence under this Act is committed by a Scottish partnership and is proved to have been committed with the consent or connivance of a partner, or to be attributable to any neglect on the part of a partner, he (as well as the partnership) commits the offence and shall be liable to be proceeded against and punished accordingly.
- (4) In subsection (3), “partner” includes a person purporting to act as a partner.

Commencement Information

- 11** S. 49 in force at 20.10.2005 for specified purposes by [S.I. 2005/2792](#), [art. 2\(2\)\(j\)](#)
- 12** S. 49 in force at 1.3.2006 for specified purposes by [S.I. 2006/404](#), [art. 2\(3\)\(4\)](#), [Sch.](#) (with arts. 4-6)

Status: Point in time view as at 01/09/2006.

Changes to legislation: *Human Tissue Act 2004, Section 49 is up to date with all changes known to be in force on or before 22 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)*

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| I3 | S. 49 in force at 7.4.2006 for specified purposes by S.I. 2006/404, art. 3(3), Sch. (with arts. 4-6) |
| I4 | S. 49 in force at 1.9.2006 in so far as not already in force by S.I. 2006/1997, art. 3(2) (with arts. 4, 7, 8) |

Status:

Point in time view as at 01/09/2006.

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