



Marine and Coastal Access Act 2009

2009 CHAPTER 23

PART 7

FISHERIES

CHAPTER 1

THE SEA FISH (CONSERVATION) ACT 1967

200 Offences by directors, partners, etc

In the [Sea Fish \(Conservation\) Act 1967 \(c. 84\)](#), for section 12 (offences committed by bodies corporate) substitute—

“12 Offences by directors, partners, etc

- (1) Where a relevant offence has been committed by a body corporate and it is proved that the offence—
 - (a) has been committed with the consent or connivance of a person falling within subsection (2), or
 - (b) is attributable to any neglect on the part of such a person,that person (as well as the body corporate) is guilty of that offence and liable to be proceeded against and punished accordingly.
- (2) The persons are—
 - (a) a director, manager, secretary or similar officer of the body corporate;
 - (b) any person who was purporting to act in such a capacity.
- (3) 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 that management, as if the member were a director of the body corporate.

Status: This is the original version (as it was originally enacted).

- (4) Where a relevant offence has been committed by a Scottish firm and it is proved that the offence—
- (a) has been committed with the consent or connivance of a partner of the firm or a person purporting to act as such a partner, or
 - (b) is attributable to any neglect on the part of such a person,
- that person (as well as the firm) is guilty of that offence and liable to be proceeded against and punished accordingly.
- (5) In this section “relevant offence” means an offence under any provision of sections 1 to 6 of this Act.”