
STATUTORY INSTRUMENTS

2018 No. 389

**The Gas Appliances (Enforcement) and
Miscellaneous Amendments Regulations 2018**

PART 2

Market Surveillance and Enforcement

Liability of persons other than the principal offender

10.—(1) Where the commission by a person (“P”) of an offence under these Regulations is due to anything which another person (“S”) did or failed to do in the course of business, S is guilty of the offence and may be proceeded against and punished, whether or not proceedings are taken against P.

(2) Where a body corporate commits an offence under these Regulations, a relevant person is also guilty of the offence where the offence was committed by the body corporate—

- (a) with the consent or connivance of a relevant person; or
- (b) as a result of the negligence of a relevant person.

(3) In paragraph (2) a “relevant person” means —

- (a) a director, manager, secretary or other similar officer of the body corporate;
- (b) in relation to a body corporate managed by its members, a member of that body performing managerial functions;
- (c) a partner in relation to a Scottish partnership; or
- (d) a person purporting to act as a person described in subparagraphs (a), (b) or (c).

Status:

Point in time view as at 21/04/2018.

Changes to legislation:

There are currently no known outstanding effects for the The Gas Appliances (Enforcement) and Miscellaneous Amendments Regulations 2018, Section 10.