



Breastfeeding etc. (Scotland) Act 2005

2005 asp 1

3 Offence of bodies corporate and partnerships

- (1) If an offence under section 1 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 any neglect on that officer's part,the officer as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.
- (2) In subsection (1), "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 any such 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 that member's functions of management as if the member were a director of the body corporate.
- (4) If any offence under any provision of this Act committed by a partnership is proved—
 - (a) to have been committed with the consent or connivance of a partner; or
 - (b) to be attributable to any neglect on that partner's part,the partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly.
- (5) In subsection (4), "partner" includes a person purporting to act as a partner.