



Legal Services (Scotland) Act 2010

2010 asp 16

PART 3

CONFIRMATION AND WILL WRITING SERVICES

CHAPTER 3

FURTHER PROVISION

117 Corporate offences

- (1) Subsection (2) applies where—
- (a) an offence under this Part is committed by a relevant organisation, and
 - (b) the commission of the offence—
 - (i) involves the connivance or consent of, or
 - (ii) is attributable to the neglect of, a responsible official of the organisation.
- (2) The official (as well as the organisation) commits the offence.
- (3) For the purpose of this section—
- (a) a “relevant organisation” is—
 - (i) a company,
 - (ii) a limited liability partnership,
 - (iii) an ordinary partnership, or
 - (iv) any other body or association,
 - (b) a “responsible official” is—
 - (i) in the case of a company, a director, secretary, manager or other similar officer,
 - (ii) in the case of a limited liability partnership, a member,
 - (iii) in the case of an ordinary partnership, a partner,
 - (iv) in the case of another body or association, a person who is concerned in the management or control of its affairs,but in each case also extends to a person purporting to act in such a capacity.