



# Wildlife and Natural Environment (Scotland) Act 2011

2011 asp 6

## PART 4

### OTHER WILDLIFE ETC.

#### *Muirburn*

#### 35 Offences by bodies corporate, Scottish partnerships etc. under the 1946 Act

After section 34 of the 1946 Act, insert—

##### **“34A Offences by bodies corporate etc.**

- (1) Where an offence under this Act has been committed by a body corporate and it is proved to have been committed with the consent or connivance of, or attributable to any neglect on the part of—
  - (a) a director, manager, secretary or other similar officer of the body; or
  - (b) a person who purported to act in any such capacity,he (as well as the body corporate) is guilty of the offence and is 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 has been committed by a Scottish partnership or other unincorporated association and it is proved to have been committed with the consent or connivance of, or attributable to any neglect on the part of—
  - (a) in relation to a Scottish partnership, any partner or any person who was purporting to act in such capacity;
  - (b) in relation to an unincorporated association other than a Scottish partnership, any person who was concerned in the management or

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*Status: This is the original version (as it was originally enacted).*

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control of the association or any person who was purporting to act in any such capacity,  
he (as well as the partnership or, as the case may be, other unincorporated association) is guilty of the offence and is liable to be proceeded against and punished accordingly.”.