



Psychoactive Substances Act 2016

2016 CHAPTER 2

Supplementary and final provisions

56 Offences by directors, partners, etc

- (1) Where an offence under this Act 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.
- (4) Where an offence under this Act 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 in 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.