

Offences by body committed with consent of its officer

869. (1) This section applies where an offence is committed by a body corporate under:

- (a) section 785;
- (b) section 790; or
- (c) section 876.

(2) In any case to which this section applies, if the offence under section 785, 790 or 876, as the case may be, is proved to have been committed with the consent or connivance of or to be attributable to any neglect on the part of any person who is a director, manager, secretary, or other officer of the body corporate, or any person who was purporting to act in any such capacity, that person as well as the body corporate shall be guilty of an offence and shall be liable to be proceeded against and punished as if he or she were guilty of the first-mentioned offence.

(3) Where the affairs of a body corporate are managed by its members, subsection (2) shall apply in relation to the acts and defaults of a member in connection with his or her functions of management as if he or she were a director or manager.