

TITLE 10: LOCAL LAWS
DIVISION 2: SECOND SENATORIAL DISTRICT (TINIAN, ETC.)

§ 25127. Liability for Offense by Body Corporate.

(a) Where a body corporate commits an offense against this chapter, each of the following persons shall be deemed to have committed the offense and, notwithstanding 6 CMC § 301 or any other rule of law or practice, to be responsible for the act or omission concerned therein, and may be charged with the offense and punished accordingly:

(1) The person who at the time of the commission of the offense was the chairman of directors, managing director, manager or other governing officer by whatever name called and each member of the governing body by whatever name called of the body corporate; and

(2) Every person who, at the time of the commission of the offense, managed or acted or took part in the management, administration or government of the business in the municipality or the Commonwealth of the body corporate.

(b) This section does not limit or affect in any way the liability of a body corporate to be proceeded against and punished for an offense against this chapter committed by it.

(c) It is a defense to a charge for an offense against this chapter brought against a person specified in subsection (a)(1) or (a)(2) of this section to prove that the offense was committed without that person's knowledge or consent or connivance and that he exercised due diligence to prevent the commission of the offense.

Source: Tinian Local Initiative 1, § 121, modified.

Commission Comment: To enhance clarity, in subsection (b), following "This section," the Commission deleted "applies to as not to" and inserted "does not."