

*These notes relate to the Legal Profession and Legal Aid  
(Scotland) Act (asp 5) which received Royal Assent on 19 January  
2007 (asp 5) which received Royal Assent on 19 January 2007*

# **LEGAL PROFESSION AND LEGAL AID (SCOTLAND) ACT (ASP 5) WHICH RECEIVED ROYAL ASSENT ON 19 JANUARY 2007**

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## **EXPLANATORY NOTES**

### **COMMENTARY ON SECTIONS**

#### **Part 2 – Conduct Complaints: Other Matters**

*Section 54: Unsatisfactory professional conduct: conveyancing or executry practitioners etc.*

#### **Section 20E of the 1990 Act**

142. Section 20E provides the Court of Session with the following powers in respect of an appeal in relation to unsatisfactory professional conduct: (a) to fine the conveyancing or executry practitioner a sum of up to £2,000; (b) where the court considers the complainer to have been directly affected by the conduct, to direct the practitioner to pay compensation of up to £5,000 for loss, inconvenience or distress resulting from the conduct; and (c) to find the practitioner liable in any expenses which may be involved in the proceedings before it. The decision of the court is to be final. The maximum amounts of the fine and compensation mentioned above may be varied by order by Scottish Ministers subject to parliamentary approval.