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**Changes to legislation:** There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Cross Heading: Continuing notification requirements. (See end of Document for details)

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## SCHEDULE 8 INVESTORS IN LICENSED PROVIDERS

### *Continuing notification requirements*

- 3 (1) This paragraph applies where—
- (a) a person takes, or proposes to take, a step to acquire such an interest as would result in the person becoming a non-solicitor investor in a licensed provider,
  - (b) a non-solicitor investor takes, or proposes to take, a step which would—
    - (i) significantly change the investor's interest in the licensed provider, or
    - (ii) acquire an additional kind of interest in the licensed provider, or
  - (c) a person becomes a non-solicitor investor in a licensed provider—
    - (i) as a new investor, or
    - (ii) because the person, having ceased to be entitled to practise as mentioned in section 67(6)(b) (while remaining as an investor), comes within the definition there.
- (2) In a case falling within sub-paragraph (1)(a) or (b), the licensed provider must (as soon as practicable) notify the approved regulator of the proposal including by giving it—
- (a) the name and other details of the person concerned,
  - (b) the details of the interest concerned.
- (3) In a case falling within sub-paragraph (1)(c)(i), the licensed provider must (as soon as practicable) notify the approved regulator of the acquisition including by giving it the name and other details of the investor.
- (4) In a case falling within sub-paragraph (1)(c)(ii), the licensed provider must (as soon as practicable) notify the approved regulator of the fact.
- (5) Sub-paragraph (3) does not apply where sub-paragraph (2) has been complied with in relation to the acquisition.
- (6) It is an offence for a person to fail to comply with a requirement imposed on the person by sub-paragraph (2), (3) or (4).
- (7) A person who commits an offence under sub-paragraph (6) is liable on summary conviction to a fine not exceeding level 5 on the standard scale.
- (8) It is a defence for a person prosecuted for an offence under sub-paragraph (6) to show that at the relevant time the person had no knowledge, and could not reasonably be expected to have knowledge, of the information in question.

#### **Commencement Information**

**I1** Sch. 8 para. 3 in force at 1.4.2011 for specified purposes by S.S.I. 2011/180, art. 3, Sch.

**I2** Sch. 8 para. 3 in force at 2.7.2012 in so far as not already in force by S.S.I. 2012/152, art. 2, Sch.

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