



# Legal Services (Scotland) Act 2010

## 2010 asp 16

### PART 4

#### THE LEGAL PROFESSION

### CHAPTER 3

#### SOLICITORS AND OTHER REPRESENTATIVES

##### *The 1980 Act: further modification*

#### **139 Powers of Tribunal**

- (1) In section 53 (powers of Tribunal) of the 1980 Act—
- (a) in subsection (1)(b), for “sentenced to a term of imprisonment of not less than 2 years” substitute “ fined an amount equivalent to level 4 on the standard scale or more (whether on summary or solemn conviction) or sentenced to imprisonment for a term of 12 months or more ”,
  - (b) in subsection (2), after paragraph (bb) insert—
    - “(bc) where—
      - (i) an incorporated practice has been convicted, or has been found to have failed, as referred to in subsection (1)(c) or (d), and
      - (ii) the Tribunal consider that the complainer has been directly affected by any misconduct by the practice to which the conviction or failure is (to any extent) attributable,direct the practice to pay to the complainer compensation (for loss, inconvenience or distress resulting from the misconduct) of such amount not exceeding £5,000 as the Tribunal may specify;”
  - (c) in subsection (3A), for “subsection (2)(c), (d) and (e)” substitute “ subsection (2)(bb) to (e) ”,
  - (d) in subsection (7C), after “paragraph (bb)” insert “ or (bc) ”,

---

**Changes to legislation:** *There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Section 139. (See end of Document for details)*

---

- (e) in subsection (9), after “subsection (2)(bb)” insert “ and (bc) ”.
- (2) In section 54 (appeals from decisions of Tribunal) of the 1980 Act, in subsections (1C), (1D) and (1E), after “section 53(2)(bb)” in each place where it occurs insert “ or (bc) ”.

---

**Commencement Information**

**II** [S. 139](#) in force at 1.5.2011 by [S.S.I. 2011/180](#), [art. 4\(a\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Section 139.