



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)”,

Status: This is the original version (as it was originally enacted).

- (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)”.