



# Legal Services (Scotland) Act 2010

## 2010 asp 16

### PART 3

#### CONFIRMATION AND WILL WRITING SERVICES

### CHAPTER 1

#### CONFIRMATION SERVICES

##### *Regulation of confirmation agents*

#### **94 Financial sanctions**

- (1) Rules included in a regulatory scheme in pursuance of section 93(2)(d)(ii) may provide for the imposition of a financial penalty.
- (2) A financial penalty provided for by virtue of subsection (1) must not exceed the maximum amount permitted by the Scottish Ministers when giving their certification under section 92.
- (3) A financial penalty imposed by virtue of this section is payable to the Scottish Ministers (but the approving body may collect it on their behalf).
- (4) A confirmation agent may appeal against a financial penalty (or the amount of a financial penalty) imposed on the agent by virtue of this section—
  - (a) to the sheriff,
  - (b) within the period of 3 months beginning with the date on which the penalty is intimated to the agent.
- (5) Where an appeal is made under subsection (4), no part of the penalty requires to be paid before the appeal is determined or withdrawn.