



Scottish Parliamentary Standards Commissioner Act 2002

2002 asp 16

General

15 Witnesses and documents: offences

- (1) Any person to whom a notice under section 14(1) has been given who—
 - (a) refuses or fails to attend before the Commissioner as required by the notice;
 - (b) refuses or fails, when attending before the Commissioner as required by the notice, to answer any question concerning the subjects specified in the notice;
 - (c) deliberately alters, suppresses, conceals or destroys any document which that person is required to produce by the notice; or
 - (d) refuses or fails to produce any such document,is guilty of an offence.
- (2) Subsection (1) is subject to section 13(3) and (5).
- (3) It is a defence for a person charged with an offence under subsection (1)(a), (b) or (d) to prove that there was a reasonable excuse for the refusal or failure.
- (4) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a period not exceeding three months.
- (5) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
 - (a) a director, manager, secretary or other similar officer of the body corporate; or
 - (b) any person who was purporting to act in any such capacity,that person, as well as the body corporate, is guilty of that offence and liable to be proceeded against accordingly.

Changes to legislation:

There are currently no known outstanding effects for the Scottish Parliamentary Standards Commissioner Act 2002, Section 15.