



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.