



Bankruptcy and Diligence etc. (Scotland) Act 2007

2007 asp 3

PART 3

ENFORCEMENT

Investigation of judicial officers

70 Commission's power in relation to judicial officer's bankruptcy etc.

- (1) This section applies where the Commission—
- (a) becomes aware (whether by the judicial officer notifying it under section 62(1) of this Act or otherwise) that an event mentioned in subsection (2) of that section has occurred; and
 - (b) considers that the occurrence of that event or circumstances surrounding it, although falling short of misconduct and not involving the commission of an offence, give rise to concerns about—
 - (i) the officer;
 - (ii) the exercise by the officer of that officer's functions; or
 - (iii) the undertaking by that officer of activities.
- (2) The Commission may refer the matter to the disciplinary committee to be dealt with under section 71 of this Act.