
Changes to legislation: There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Cross Heading: Amount of penalty. (See end of Document for details)

SCHEDULE 4 FINANCIAL PENALTIES

Amount of penalty

- 3 (1) When considering the appropriate amount of a penalty to be imposed under paragraph 2, the Scottish Ministers must have regard to—
- (a) the seriousness of the failure,
 - (b) the nature of the failure in other respects.
- (2) It is material for the purpose of sub-paragraph (1)—
- (a) whether the failure was deliberate,
 - (b) if the failure is attributable to recklessness or negligence, the degree involved.
- (3) The Scottish Ministers may consult such person or body as they consider appropriate when considering—
- (a) whether to impose a penalty,
 - (b) the appropriate amount of the penalty.

Commencement Information

- 11** Sch. 4 para. 3 in force at 1.4.2011 for specified purposes by S.S.I. 2011/180, art. 3, Sch.
12 Sch. 4 para. 3 in force at 2.7.2012 in so far as not already in force by S.S.I. 2012/152, art. 2, Sch.

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