Legal Services (Scotland) Act 2010

2010 asp 16

PART 2

REGULATION OF LICENSED LEGAL SERVICES

CHAPTER 2

LICENSED LEGAL SERVICES PROVIDERS

Non-solicitor investors

65   Ban for improper behaviour

(1) Where an approved regulator determines that a non-solicitor investor in a licensed provider has contravened section 66(1) or (2), the approved regulator must disqualify the investor from having an interest in the licensed provider.

(2) A disqualification under subsection (1)—
   (a)   may be—
      (i) without limit of time, or
      (ii) for a fixed period,
   (b)   extends so as to apply in relation to every licensed provider (including a licensed provider that is subject to the regulation of a different approved regulator).

(3) Before disqualifying an investor under subsection (1), the approved regulator must give the investor 28 days (or such longer period as it may allow) to—
   (a)   make representations to it,
   (b)   take such steps as the investor may consider expedient.

(4) Practice rules must—
   (a)   set procedure (which the approved regulator is to follow) for imposing a disqualification under subsection (1),
   (b)   allow for review (and lifting) by the approved regulator of a disqualification imposed by it under that subsection.

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(5) A person who is disqualified under subsection (1) may appeal against the disqualification—

(a) to the sheriff,

(b) within the period of 3 months beginning with the date on which the disqualification is imposed.

Commencement Information

I1   S. 65 in force at 1.4.2011 for specified purposes by S.S.I. 2011/180, art. 3, **Sch.**

I2   S. 65 in force at 2.7.2012 in so far as not already in force by S.S.I. 2012/152, art. 2, **Sch.**

Changes to legislation:
There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Section 65.