

SCHEDULE 2  
PARTICULAR PURPOSES FOR WHICH  
PROVISION MAY BE MADE UNDER SECTION 18

**PART 2**

SUPPLEMENTARY PROVISIONS

*Offences*

- 31 (1) The regulations may provide for any such offence as is mentioned in paragraph 19 to be triable—
- (a) only summarily,
  - (b) either summarily or on indictment.
- (2) The regulations may provide for such an offence to be punishable—
- (a) on summary conviction by—
    - (i) imprisonment for a term not exceeding such period as is specified (which must not exceed 12 months),
    - (ii) a fine not exceeding such amount as is specified (which must not exceed £40,000), or
    - (iii) both,
  - (b) on conviction on indictment by—
    - (i) imprisonment for a term not exceeding such period as is specified (which must not exceed 5 years),
    - (ii) a fine, or
    - (iii) both.
- (3) The regulations may provide for continuing offences and for any such offences to be punishable by a daily or other periodic fine of such amount as is specified (in addition to any punishment provided for in pursuance of sub-paragraph (2)).
- (4) The Scottish Ministers may by order substitute for the sum for the time being specified in sub-paragraph (2)(a)(ii) such other sum as appears to them to be justified by a change in the value of money appearing to them to have taken place since the last occasion on which the sum was fixed.
- (5) An order under sub-paragraph (4) is not to affect the punishment for an offence committed before that order comes into force.

---

**Commencement Information**

**II** Sch. 2 para. 31 in force at 30.6.2014 by S.S.I. 2014/160, art. 2(1)(2), Sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Regulatory Reform (Scotland) Act 2014, Cross Heading: Offences.