



Scotland Act 1998

1998 CHAPTER 46

PART I

THE SCOTTISH PARLIAMENT

Proceedings etc.

25 Witnesses and documents: offences

- (1) Any person to whom a notice under section 24(1) has been given who—
 - (a) refuses or fails to attend proceedings as required by the notice,
 - (b) refuses or fails, when attending proceedings 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 he 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 sections 23(9) and (10) and 27(3).
- (3) It is a defence for a person charged with an offence under subsection (1)(a), (b) or (d) to prove that he had 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,

Status: This is the original version (as it was originally enacted).

he, as well as the body corporate, is guilty of that offence and liable to be proceeded against accordingly.