



Solicitors (Scotland) Act 1980

1980 CHAPTER 46

PART VI

MISCELLANEOUS AND GENERAL

General

[^{F1}64CA Enforcement of notices under section 64C

- (1) The court may, on an application by the [^{F2}CMA] , enquire into whether any person (“the defaulter”) has refused or otherwise failed, without reasonable excuse, to comply with a notice under section 64C(1).
- (2) An application under subsection (1) shall include details of the possible failure which the [^{F2}CMA] considers has occurred.
- (3) In enquiring into a case under subsection (1), the court shall hear any witness who may be produced against or on behalf of the defaulter and any statement which may be offered in defence.
- (4) Subsections (5) and (6) apply where the court is satisfied, after hearing any witnesses and statements as mentioned in subsection (3), that the defaulter has refused or otherwise failed, without reasonable excuse, to comply with a notice under section 64C(1).
- (5) The court may punish the defaulter as it would have been able to punish him had he been guilty of contempt of court.
- (6) Where the defaulter is a body corporate or is a partnership constituted under the law of Scotland, the court may punish any director, officer or (as the case may be) partner of the defaulter as it would have been able to punish that director, officer or partner had he been guilty of contempt of court.]

Status: Point in time view as at 01/04/2014.

Changes to legislation: *Solicitors (Scotland) Act 1980, Section 64CA is up to date with all changes known to be in force on or before 18 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

Textual Amendments

- F1** Ss. 64CA, 64CB inserted (20.6.2003) by The Enterprise Act 2002 (Consequential and Supplemental Provisions) Order (S.I. 2003/1398), art. 2, {Sch. para. 2(3)}
- F2** Word in s. 64CA(1)(2) substituted (1.4.2014) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 6 para. 13**; S.I. 2014/416, art. 2(1)(d) (with Sch.)

Status:

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