



# Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

## PART 1

### THE SCOTTISH LEGAL COMPLAINTS COMMISSION

#### *Finance*

#### **29 Amount of levies and consultation**

- (1) The amount of the—
  - (a) annual general levy;
  - (b) complaints levy,in respect of each financial year is such amount as may be determined by the Commission, having had regard to any views expressed in its consultation under subsection (4) in respect of the financial year in question.
- (2) The amount of the annual general levy must be the same amount for each of the individuals who are liable under section 27(1) to pay it; but rules made under section 32(1) may provide for circumstances in which the Commission may waive a portion of the amount which would otherwise require to be paid.
- (3) The Commission may determine different amounts (including an amount of nil) for the complaints levy in different circumstances.
- (4) The Commission must, in January each year, consult each relevant professional organisation and its members on the Commission's proposed budget for the next financial year.
- (5) The proposed budget must—
  - (a) include—
    - (i) an estimate as respects resource requirements;
    - (ii) the proposed amount of the annual general levy and the complaints levy;

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*Status: This is the original version (as it was originally enacted).*

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- (b) be accompanied by information as to the Commission's projected work plan for the next financial year.
- (6) Each relevant professional organisation must, for the purpose of informing the Commission in relation to—
- (a) the inclusion in the Commission's proposed budget for each financial year of the proposed amount of the annual general levy;
  - (b) the Commission's determination under subsection (1) of the amount of the annual general levy in respect of each financial year,
- provide the Commission with an estimate of the number of persons as respects whom it is the relevant professional organisation and who it anticipates should be liable under section 27(1) to pay the annual general levy for the financial year concerned.
- (7) The Commission must secure so far as is reasonably practicable that, taking one financial year with another, the amount of the annual general levy and the complaints levy is reasonably sufficient to meet its expenditure.
- (8) The Commission must, no later than 31 March in each year, publish the responses it has received in the consultation carried out by it under subsection (4) in the immediately preceding January.
- (9) Subsection (1) does not apply to responses which are subject to an express request in writing for confidentiality.
- (10) The Commission must lay a copy of the finalised budget before the Parliament no later than 30 April in each year.