



# Legal Services Act 2007

## 2007 CHAPTER 29

### PART 2

#### THE LEGAL SERVICES BOARD

##### *Constitution*

### **2 The Legal Services Board**

- (1) There is to be a body corporate called the Legal Services Board (“the Board”).
- (2) Schedule 1 is about the Board.

##### *General functions*

### **3 The Board’s duty to promote the regulatory objectives etc**

- (1) In discharging its functions the Board must comply with the requirements of this section.
- (2) The Board must, so far as is reasonably practicable, act in a way—
  - (a) which is compatible with the regulatory objectives, and
  - (b) which the Board considers most appropriate for the purpose of meeting those objectives.
- (3) The Board must have regard to—
  - (a) the principles under which regulatory activities should be transparent, accountable, proportionate, consistent and targeted only at cases in which action is needed, and
  - (b) any other principle appearing to it to represent the best regulatory practice.

#### **4 Standards of regulation, education and training**

The Board must assist in the maintenance and development of standards in relation to—

- (a) the regulation by approved regulators of persons authorised by them to carry on activities which are reserved legal activities, and
- (b) the education and training of persons so authorised.

#### **5 Corporate governance**

In managing its affairs, the Board must have regard to such generally accepted principles of good corporate governance as it is reasonable to regard as applicable to it.

#### **6 Annual report**

- (1) The Board must prepare a report (“the annual report”) for each financial year.
- (2) The annual report must deal with—
  - (a) the discharge of the Board’s functions,
  - (b) the extent to which, in the Board’s opinion, the Board has met the regulatory objectives, and
  - (c) such other matters as the Lord Chancellor may from time to time direct.
- (3) As soon as reasonably practicable after the end of each financial year, the Board must give the Lord Chancellor a copy of the annual report prepared for that year.
- (4) The Lord Chancellor must lay a copy of the annual report before Parliament.
- (5) In this section “financial year” means—
  - (a) the period beginning with the day on which the Board is established and ending with the next following 31 March, and
  - (b) each successive period of 12 months.

#### **7 Supplementary powers**

The Board may do anything calculated to facilitate, or incidental or conducive to, the carrying out of any of its functions.

#### *Consumer Panel*

#### **8 The Consumer Panel**

- (1) The Board must establish and maintain a panel of persons (to be known as “the Consumer Panel”) to represent the interests of consumers.
- (2) The Consumer Panel is to consist of such consumers, or persons representing the interests of consumers, as the Board may appoint with the approval of the Lord Chancellor.
- (3) The Board must appoint one of the members of the Consumer Panel to be the chairman of the Panel.

- (4) The Board must secure that the membership of the Consumer Panel is such as to give a fair degree of representation to both—
- (a) those who are using (or are or may be contemplating using), in connection with businesses carried on by them, services provided by persons who are authorised persons in relation to activities which are reserved legal activities, and
  - (b) those who are using (or are or may be contemplating using) such services otherwise than in connection with businesses carried on by them.
- (5) The Consumer Panel must not include any person who is—
- (a) a member of the Board or of its staff;
  - (b) a member of the Office for Legal Complaints (see Part 6), an ombudsman appointed by it or a member of its staff appointed under paragraph 13 of Schedule 15;
  - (c) a member of the governing body, or of the staff, of an approved regulator;
  - (d) an authorised person in relation to an activity which is a reserved legal activity;
  - (e) a person authorised, by a person designated under section 5(1) of the Compensation Act 2006 (c. 29), to provide services which are regulated claims management services (within the meaning of that Act);
  - (f) an advocate in Scotland;
  - (g) a solicitor in Scotland;
  - (h) a member of the Bar of Northern Ireland; or
  - (i) a solicitor of the Court of Judicature of Northern Ireland.
- (6) The chairman and other members of the Consumer Panel are to be—
- (a) appointed for a fixed period, and on other terms and conditions, determined by the Board, and
  - (b) paid by the Board in accordance with provision made by or under the terms of appointment.
- (7) But a person may be removed from office in accordance with those terms and conditions only with the approval of the Lord Chancellor.
- (8) A person who ceases to be chairman or another member of the Consumer Panel may be re-appointed.

## **9 Committees and the procedure of the Consumer Panel**

- (1) The Consumer Panel may make such arrangements as it thinks fit for committees established by the Panel to give advice to the Panel about matters relating to the carrying out of the Panel's functions.
- (2) The Consumer Panel may make such other arrangements for regulating its own procedure, and for regulating the procedure of the committees established by it, as it thinks fit.
- (3) Those arrangements may include arrangements as to quorums and as to the making of decisions by a majority.
- (4) The committees established by the Consumer Panel may include committees the membership of which includes persons who are not members of the Panel.

- (5) The membership of every committee established by the Consumer Panel must contain at least one person who is a member of the Panel.
- (6) Where a person who is not a member of the Consumer Panel is a member of a committee established by it, the Board may pay to that person such remuneration and expenses as the Board may determine.

## **10 Representations by the Consumer Panel**

- (1) The Board must consider any representations made to it by the Consumer Panel.
- (2) If the Board disagrees with a view expressed, or proposal made, in the representations, it must give the Consumer Panel a notice to that effect stating its reasons for disagreeing.
- (3) The Consumer Panel may publish such information as it thinks fit about any representations made by it to the Board.
- (4) Where the Consumer Panel publishes information about any representations made by it, the Board must publish any notice it gives under subsection (2) in respect of those representations.

## **11 Advice and research functions of the Consumer Panel**

- (1) The Consumer Panel may, at the request of the Board—
  - (a) carry out research for the Board;
  - (b) give advice to the Board.
- (2) The Board must consider any advice given and the results of any research carried out under this section.
- (3) The Consumer Panel may publish such information as it thinks fit about advice it gives, and about the results of research carried out by it, under this section.