

2007 No. 140 (C.17)

LEGAL PROFESSION

**The Legal Profession and Legal Aid (Scotland) Act 2007
(Commencement No. 2) Order 2007**

Made - - - -

1st March 2007

The Scottish Ministers, in exercise of the powers conferred by section 82(2) of the Legal Profession and Legal Aid (Scotland) Act 2007^(a), hereby make the following Order:

Citation

1. This Order may be cited as the Legal Profession and Legal Aid (Scotland) Act 2007 (Commencement No. 2) Order 2007.

Appointed day

2. 19th March 2007 is the appointed day for the coming into force of the following provisions of the Legal Profession and Legal Aid (Scotland) Act 2007:—

- (a) section 1 so far as relating to paragraphs 1 to 7, 12 and 14 of schedule 1;
- (b) section 44;
- (c) section 61;
- (d) section 81 so far as relating to paragraph 3(10) of schedule 5;
- (e) paragraphs 1 to 7, 12 and 14 of schedule 1; and
- (f) paragraph 3(10) of schedule 5.

JOHANN MLAMONT

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
1st March 2007

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 19th March 2007 various provisions of the Legal Profession and Legal Aid (Scotland) Act 2007 (“the Act”).

Article 2(a) and (e) commence section 1 (in part) and various paragraphs of schedule 1 (the Scottish Legal Complaints Commission (“the Commission”)) of the Act. Section 1 introduces schedule 1 and is commenced only for the purposes of the paragraphs of Schedule 1 that are being commenced. Those provide for the appointment (and removal), remuneration and general powers of members of the Commission. Paragraph 14 of schedule 1 makes provision for the location of the Commission’s office premises.

Article 2(b) commences section 44 which provides for the exemption from liability in damages of anything done or omitted by the Commission (or a member or employee of the Commission) in the discharge of the Commission’s functions.

Article 2(c), (d) and (f) commence sections 61 and 81 of and paragraph 3(10) of schedule 5 to the Act, respectively, in anticipation of the commencement of sections 25-29 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (“the 1990 Act”), (commenced on the same date by the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990 (Commencement No. 16) Order 2007).

Section 61 of the Act amends section 32 of the Solicitors (Scotland) Act 1980 to except members of bodies which exercise rights acquired by virtue of sections 25-29 of the 1990 Act from the offence for unqualified persons to prepare certain documents.

Paragraph 3(10) of schedule 5 to the Act makes minor amendments to section 25 of the 1990 Act. Section 81 introduces schedule 5 and is commenced only so far as relates to paragraph 3(10).

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement order made before the date of this Order:–

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 69(1), (2)(a) and (4), 71, 73 and 76.	8th February 2007	2007/57

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