



Administration of Justice Act 1985

1985 CHAPTER 61

PART III

LEGAL AID

Legal aid complaints

43 Jurisdiction and powers of Solicitors Disciplinary Tribunal in relation to complaints against solicitors.

- (1) The Solicitors Disciplinary Tribunal shall have jurisdiction to hear and determine any legal aid complaint relating to the conduct of a solicitor and made to the Tribunal under this section by or on behalf of the Law Society.
 - (2) In the following provisions of the ^{M1}Solicitors Act 1974, namely—
 - (a) subsections [^{F1}(9) to](11) of section 46 (procedure of Tribunal); and
 - (b) section 47(2) (powers of Tribunal),any reference to a complaint or to a complaint made to the Tribunal under that Act shall be construed as including a reference to a legal aid complaint or to a legal aid complaint made to the Tribunal under this section.
 - (3) On the hearing of a legal aid complaint against a solicitor the Tribunal may, if it thinks fit and whether or not it makes any other order on the hearing, order that [^{F2}any costs otherwise payable by the [^{F3}Lord Chancellor] in connection with services provided by the solicitor [^{F4}under arrangements made for the purposes of Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012]] shall be reduced or cancelled.
- [^{F5}(3A) Nothing in section 157 of the Legal Services Act 2007 (approved regulators not to make provision for redress) prevents an order being made under subsection (3).]
- (4)^{F6}
 - [^{F7}(5) An appeal under section 49 of the Solicitors Act 1974 against an order of the Tribunal under subsection (3) lies only at the instance of the solicitor with respect to whom the legal aid complaint was made.]

Changes to legislation: There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 43. (See end of Document for details)

(6) In this section “costs” includes fees, charges, disbursements, expenses and remuneration.

Textual Amendments

- F1** Words in s. 43(2)(a) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 211, [Sch. 16 para. 84\(2\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(b\)\(ii\)](#)
- F2** Words in s. 43(3) substituted (1.4.2000) by 1999 c. 22, s. 24, [Sch. 4 para. 36](#) (with [Sch. 14 para. 7\(2\)](#)); S.I. 2000/774, [art. 2\(a\)\(ii\)](#) (subject to arts. 3, 4)
- F3** Words in s. 43(3) substituted (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 para. 31\(a\)](#); S.I. 2013/453, [art. 3\(h\)](#) (with savings and transitional provisions in S.I. 2013/534, [art. 6](#))
- F4** Words in s. 43(3) substituted (1.4.2013) by [Legal Aid, Sentencing and Punishment of Offenders Act 2012 \(c. 10\)](#), s. 151(1), [Sch. 5 para. 31\(b\)](#); S.I. 2013/453, [art. 3\(h\)](#) (with savings and transitional provisions in S.I. 2013/534, [art. 6](#))
- F5** S. 43(3A) inserted (1.10.2011) by [Legal Services Act 2007 \(c. 29\)](#), s. 211(2), [Sch. 16 para. 84\(3\)](#) (with ss. 29, 192, 193); S.I. 2011/2196, [art. 2\(1\)\(f\)](#)
- F6** S. 43(4) repealed (2.4.2001) by 1999 c. 22, s. 106, [Sch. 15 Pt. I](#) (with [Sch. 14 paras. 7\(2\), 36\(9\)](#)); S.I. 2001/916, [art. 3\(b\)](#) (with [Sch. 2 para. 2](#))
- F7** S. 43(5) substituted (31.3.2009) by [Legal Services Act 2007 \(c. 29\)](#), ss. 177, 211, [Sch. 16 para. 84\(4\)](#) (with ss. 29, 192, 193); S.I. 2009/503, [art. 2\(b\)\(ii\)](#)

Modifications etc. (not altering text)

- C1** S. 43 applied (with modification) by S.I. 2000/1119, [Sch. 4 para. 24\(1\)](#) (as substituted (1.7.2009) by [The Legal Services Act 2007 \(Registered European Lawyers\) Order 2009 \(S.I. 2009/1587\)](#), arts. 1(1), [3\(17\)](#))

Marginal Citations

- M1** 1974 c. 47.

Changes to legislation:

There are currently no known outstanding effects for the Administration of Justice Act 1985, Section 43.