

*These notes refer to the Access to Justice Act 1999  
(c.22) which received Royal Assent on 27th July 1999*

# ACCESS TO JUSTICE ACT 1999

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## EXPLANATORY NOTES

**B.**

### PROVISION OF LEGAL SERVICES (SECTIONS 35-53)

#### *Commentary*

#### *Legal Services Ombudsman*

195. **Section 49: Powers of Ombudsman.** This section extends the powers of the Legal Services Ombudsman. It will allow her to make binding orders that a professional body or individual practitioner pay compensation or costs to a complainant. At present, she can only make recommendations. Before such an order can be made, the body or practitioner will be entitled to appear before the Ombudsman to make representations.
196. **Section 50: Funding of Ombudsman by professional bodies.** This section empowers the Lord Chancellor to order a professional body to make an appropriate contribution towards the cost of the Legal Services Ombudsman's office. At present, these costs are met by the taxpayer. The usual practice elsewhere is for ombudsman schemes to be financed directly by the professions concerned. However, the Government does not intend to use this power unless or until a Legal Services Complaints Commissioner is appointed (see the commentary below on section 51).