
Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Cross Heading: Advice. (See end of Document for details)

SCHEDULES

SCHEDULE 6

ALTERATION OF RESERVED LEGAL ACTIVITIES

Advice

- 5 (1) Before determining whether it is appropriate to hold a section 24 investigation or a section 26 investigation in respect of an activity, the Board may seek the advice of one or both of the following bodies—
- (a) the OFT;
 - (b) the Consumer Panel.
- (2) The OFT or the Consumer Panel must, if its advice is sought, give the Board such advice as it thinks fit, within such reasonable period as the Board may specify.
- (3) In deciding what advice to give—
- (a) the OFT must, in particular, consider whether making an order under section 24 or (as the case may be) provision in accordance with a recommendation under section 26, in respect of the activity would (or would be likely to) prevent, restrict or distort competition within the market for reserved legal services to any significant extent, and
 - (b) the Consumer Panel must have regard to the likely impact which making that order or (as the case may be) provision would have on consumers.
- (4) The OFT or the Consumer Panel may, for the purposes of giving advice under this paragraph, request any person to provide it with such information as may be specified by it.
- 6 (1) Before determining whether it is appropriate to hold a section 24 investigation or a section 26 investigation in respect of an activity the Board may also seek the advice of the Lord Chief Justice.
- (2) If the Board has sought advice under paragraph 5, the Board may not seek advice from the Lord Chief Justice until—
- (a) the period for giving advice under paragraph 5 has ended, and
 - (b) it has given the Lord Chief Justice a copy of any advice duly given under that paragraph.
- (3) If advice is sought under sub-paragraph (1), the Lord Chief Justice—
- (a) must give the Board such advice as the Lord Chief Justice thinks fit, within such reasonable period as may be specified by the Board, and
 - (b) may, for the purposes of giving that advice, request any person to provide the Lord Chief Justice with such information as may be specified by the Lord Chief Justice.
- (4) In deciding what advice to give, the Lord Chief Justice must, in particular, have regard to the likely impact on the courts in England and Wales of the making of

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an order under section 24 or (as the case may be) provision in accordance with a recommendation under section 26, in respect of the activity in question.

- 7 (1) The Board must consider, and publish, any advice given under paragraph 5 or 6.
- (2) Nothing in this paragraph operates to prevent a person who gives such advice from publishing it.

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