



Legal Services Act 2007

2007 CHAPTER 29

PART 6

LEGAL COMPLAINTS

Determinations under the scheme

141 Enforcement by complainant of directions under section 137

- (1) This section applies where—
 - (a) a determination is made in respect of a complaint under the ombudsman scheme,
 - (b) one or more directions are made under section 137(2), and
 - (c) the determination is final by virtue of section 140(4).
- (2) An amount payable in accordance with—
 - (a) a direction under subsection (2)(b) of section 137 which requires that the whole or part of any amount already paid by or on behalf of the complainant in respect of the fees be refunded, or
 - (b) a direction under subsection (2)(c) of that section,including any interest payable by virtue of subsection (4) of that section, is recoverable, if a court so orders on the application of the complainant or an ombudsman, as if it were payable under an order of that court.
- (3) If the respondent fails to comply with any other direction under section 137(2), the complainant or an ombudsman may make an application to the court under this subsection.
- (4) If, on an application under subsection (3), the court decides that the respondent has failed to comply with the direction in question, it may order the respondent to take such steps as the court directs for securing that the direction is complied with.

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Section 141. (See end of Document for details)

- (5) An ombudsman may make an application under subsection (2) or (3) only in such circumstances as may be specified in scheme rules, and with the complainant's consent.
- (6) If the court makes an order under subsection (2) on the application of an ombudsman, the ombudsman may in such circumstances as may be specified in scheme rules and with the complainant's consent recover the amount mentioned in that subsection on behalf of the complainant.
- (7) In this section “court” means the High Court or [^{F1}the county court].

Textual Amendments

- F1** Words in s. 141(7) substituted (22.4.2014) by [Crime and Courts Act 2013 \(c. 22\), s. 61\(3\), Sch. 9 para. 52](#); [S.I. 2014/954, art. 2\(c\)](#) (with [art. 3](#)) (with transitional provisions and savings in [S.I. 2014/956](#), arts. 3-11)

Commencement Information

- I1** S. 141 partly in force; s. 141 not in force at Royal Assent see s. 211; s. 141(5)-(7) in force at 1.1.2009 by [S.I. 2008/3149, art. 2\(e\)\(i\)](#)
- I2** S. 141(1)-(4) in force at 6.10.2010 by [S.I. 2010/2089, art. 2\(a\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Legal Services Act 2007, Section 141.