



Legal Services Act 2007

2007 CHAPTER 29

PART 6

LEGAL COMPLAINTS

Co-operation with investigations

144 Duties to share information

- (1) Scheme rules must make provision requiring persons within subsection (3) to disclose to an approved regulator information of such description as may be specified in the rules, in such circumstances as may be so specified.
- (2) The regulatory arrangements of an approved regulator must make provision requiring the approved regulator to disclose to persons within subsection (3) information of such description as may be specified in the arrangements, in such circumstances as may be so specified.
- (3) The persons are—
 - (a) the OLC;
 - (b) an ombudsman;
 - (c) a member of the OLC's staff appointed under paragraph 13 of Schedule 15.
- (4) Provision made under subsection (1) or (2) must satisfy such requirements as the Board may, from time to time, specify.
- (5) In specifying requirements under subsection (4) the Board must have regard to the need to ensure that, so far as reasonably practicable—
 - (a) duplication of investigations is avoided;
 - (b) the OLC assists approved regulators to carry out their regulatory functions, and approved regulators assist with the investigation, consideration and determination of complaints under the ombudsman scheme.
- (6) The Board must publish any requirements specified by it under subsection (4).

Status: This is the original version (as it was originally enacted).

- (7) The OLC must—
- (a) before publishing under section 205(2) a draft of rules it proposes to make under subsection (1), consult each approved regulator to which the proposed rules apply, and
 - (b) when seeking the Board’s consent to such rules under section 155, identify any objections made by an approved regulator to the rules and not withdrawn.
- (8) An approved regulator must—
- (a) consult the OLC before making provisions in its regulatory arrangements of the kind mentioned in subsection (2), and
 - (b) where an application is made for the Board’s approval of such provisions, identify any objections made by the OLC to the provisions and not withdrawn.
- (9) This section applies to the Board in its capacity as a licensing authority and licensing rules made by the Board as it applies to an approved regulator and its regulatory arrangements; and for this purpose the reference in subsection (5)(b) to “regulatory functions” is to be read as a reference to the Board’s functions under its licensing rules.