



Legal Services Act 2007

2007 CHAPTER 29

PART 6

LEGAL COMPLAINTS

Co-operation with investigations

146 Reporting failures to co-operate with an investigation to approved regulators

- (1) This section applies where an ombudsman is of the opinion that an authorised person has failed to give an ombudsman all such assistance requested by the ombudsman, in connection with the investigation, consideration or determination of a complaint under the ombudsman scheme, as that person is reasonably able to give.
- (2) The ombudsman must give each relevant authorising body, in relation to that person, a report which—
 - (a) states that the ombudsman is of that opinion, and
 - (b) gives details of the failure.
- (3) A report under subsection (2) may require the relevant authorising body to report to the ombudsman the action which has been or is to be taken by it in response to the report under that subsection and the reasons for that action being taken.
- (4) The duty imposed by subsection (2) is not affected by the withdrawal or abandonment of the complaint.
- (5) If an ombudsman, having regard to any report produced by the relevant authorising body in compliance with a requirement imposed under subsection (3), or any failure to comply with such a requirement, considers—
 - (a) that there has been a serious failure by the relevant authorising body to discharge its regulatory functions, or
 - (b) if such a requirement has been imposed on the body on more than one occasion, that the relevant authorising body has persistently failed adequately to discharge its regulatory functions,

Status: This is the original version (as it was originally enacted).

the ombudsman may make a report to that effect to the Board.

- (6) In this section “authorised person” means an authorised person in relation to any activity which is a reserved legal activity.