



Legal Services Act 2007

2007 CHAPTER 29

PART 6

LEGAL COMPLAINTS

Information

149 Enforcement of requirements to provide information or produce documents

- (1) This section applies where an ombudsman is of the opinion that a person (“the defaulter”) has failed to comply with a requirement imposed under section 147(1).
- (2) The ombudsman may certify the defaulter’s failure to comply with the requirement to the court.
- (3) Where an ombudsman certifies a failure to the court under subsection (2), the court may enquire into the case.
- (4) If the court is satisfied that the defaulter has failed without reasonable excuse to comply with the requirement, it may deal with—
 - (a) the defaulter, and
 - (b) in the case of a body, any manager of the body,as if that person were in contempt.
- (5) Subsection (6) applies in a case where the defaulter is an authorised person in relation to any activity which is a reserved legal activity.
- (6) The ombudsman (“the enforcing ombudsman”) may not certify the defaulter’s failure to the court until a report by that or another ombudsman has been made as required by section 148(2) and the enforcing ombudsman is satisfied—
 - (a) that each relevant authorising body to whom such a report was made has been given a reasonable opportunity to take action in respect of the defaulter’s failure, and

Status: This is the original version (as it was originally enacted).

(b) that the defaulter has continued to fail to provide the information or produce the documents to which the requirement under section 147 related.

(7) In this section “court” means the High Court.