



Legal Services Act 2007

2007 CHAPTER 29

PART 3

RESERVED LEGAL ACTIVITIES

Offences

15 Carrying on of a reserved legal activity: employers and employees etc

- (1) This section applies for the interpretation of references in this Act to a person carrying on an activity which is a reserved legal activity.
- (2) References to a person carrying on an activity which is a reserved legal activity include a person (“E”) who—
 - (a) is an employee of a person (“P”), and
 - (b) carries on the activity in E's capacity as such an employee.
- (3) For the purposes of subsection (2), it is irrelevant whether P is entitled to carry on the activity.
- (4) P does not carry on an activity (“the relevant activity”) which is a reserved legal activity by virtue of E carrying it on in E's capacity as an employee of P, unless the provision of relevant services to the public or a section of the public (with or without a view to profit) is part of P's business.
- (5) Relevant services are services which consist of or include the carrying on of the relevant activity by employees of P in their capacity as employees of P.
- (6) Where P is an independent trade union, persons provided with relevant services do not constitute the public or a section of the public where—
 - (a) the persons are provided with the relevant services by virtue of their membership or former membership of P or of another person's membership or former membership of P, and
 - (b) the services are excepted membership services.

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Section 15. (See end of Document for details)

- (7) Subject to subsection (8), “excepted membership services” means relevant services which relate to or have a connection with—
- (a) relevant activities of a member, or former member, of the independent trade union;
 - (b) any other activities carried on for the purposes of or in connection with, or arising from, such relevant activities;
 - (c) any event which has occurred (or is alleged to have occurred) in the course of or in connection with such relevant activities or activities within paragraph (b);
 - (d) activities carried on by a person for the purposes of or in connection with, or arising from, the person's membership of the independent trade union;
- and such other relevant services as the Lord Chancellor may by order specify.
- (8) The Lord Chancellor may by order make provision about the circumstances in which relevant services do or do not relate to, or have a connection with, the matters mentioned in paragraphs (a) to (d) of subsection (7).
- (9) Subject to that, the Lord Chancellor may by order make provision about—
- (a) what does or does not constitute a section of the public;
 - (b) the circumstances in which the provision of relevant services to the public or a section of the public does or does not form part of P's business.
- (10) The Lord Chancellor may make an order under subsection (7), (8) or (9) only on the recommendation of the Board.
- (11) If P is a body, references to an employee of P include references to a manager of P.
- (12) In subsection (7), “relevant activities”, in relation to a person who is or was a member of an independent trade union, means any employment (including self-employment), trade, occupation or other activity to which the person's membership of the trade union relates or related.

Changes to legislation:

There are currently no known outstanding effects for the Legal Services Act 2007, Section 15.