



# Legal Services Act 2007

## 2007 CHAPTER 29

### PART 4

#### REGULATION OF APPROVED REGULATORS

##### *Regulatory conflict*

#### **53 Modification of provision made about regulatory conflict**

- (1) An approved regulator (“the applicant regulator”) may make an application under this section if it considers that the regulatory arrangements of another approved regulator (“the conflicting regulator”) do not make appropriate provision to prevent a regulatory conflict with the applicant regulator.
- (2) An application under this section is an application made to the Board for the Board to exercise its powers under section 32 to direct the conflicting regulator—
  - (a) to take steps to modify, in such manner as may be specified in the direction, the provision made by its regulatory arrangements to prevent a regulatory conflict with the applicant regulator, or
  - (b) if its regulatory arrangements do not make any such provision, to make such provision as may be specified in the direction to prevent such a conflict.
- (3) An approved regulator must consider any request made by an affected person—
  - (a) for the approved regulator to reconsider the provision made by its regulatory arrangements to prevent a regulatory conflict with another approved regulator, or
  - (b) for the approved regulator to make an application under this section.
- (4) An “affected person”, in relation to an approved regulator, means—
  - (a) a person authorised by the approved regulator to carry on a reserved legal activity;
  - (b) an employee or manager of such a person.
- (5) Where an application is made under this section, the Board—

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*Status: This is the original version (as it was originally enacted).*

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- (a) must give the applicant regulator and the conflicting regulator an opportunity to make representations, and
  - (b) may consult any persons it considers appropriate.
- (6) The Board must decide whether or not to give a warning notice in response to the application.
- (7) The Board must make that decision before the end of the period of 6 months beginning with the day on which the application is received by it.
- (8) The Board must give notice of its decision, and the reasons for it, to the applicant regulator and the conflicting regulator.
- (9) For the purposes of this section “warning notice” means a notice given under paragraph 2(1) of Schedule 7 (warning of proposed direction under section 32).