



Access to Justice Act 1999

1999 CHAPTER 22

PART III

PROVISION OF LEGAL SERVICES

Legal Services Ombudsman

49 Powers of Ombudsman

- (1) Section 23 of the Courts and Legal Services Act 1990 (recommendations of the Legal Services Ombudsman) is amended as follows.
- (2) In subsection (1)(c) (written report of investigation to be sent to person with respect to whom recommendation is made), after “subsection (2)” insert “or an order under subsection (2A)”.
- (3) In paragraph (e) of subsection (2) (recommendation that costs be paid by person or body to which recommendation under paragraph (c) or (d) applies), for “which a recommendation under paragraph (c) or (d) applies” substitute “pay compensation under paragraph (c) or (d)”.
- (4) After that subsection insert—
 - “(2A) If after completing any investigation under this Act the Ombudsman considers that, rather than recommending the taking of any action by any person or professional body under paragraph (c), (d) or (e) of subsection (2), he should make an order requiring the taking of that action by the person or body—
 - (a) he shall afford the person or body, and the person who made the allegation, a reasonable opportunity of appearing before him to make representations; and
 - (b) having considered any representations from them, he may, in reporting his conclusions, make the order.”
- (5) In subsections (3) and (4) (reports), after “recommendation” (in each place) insert “or order”.

Status: This is the original version (as it was originally enacted).

- (6) In subsection (6) (duty to have regard to Ombudsman’s report), for “subsection (1)(b) or (c)” substitute “subsection (1)(b), (c) or (d)”.
- (7) For the sidenote substitute “Recommendations and orders.”