
EXPLANATORY NOTE

(This note is not part of the Order)

This Order is the eighth commencement order made under the Legal Services Act 2007 (c. 29) (“the 2007 Act”). This Order comes into force in accordance with article 1.

Article 2 commences the provisions necessary for the Office for Legal Complaints to carry out its functions and operate the ombudsman scheme in accordance with Part 6 (legal complaints) and Part 7 (further provisions relating to the Board and OLC) of the 2007 Act. It commences provisions which abolish the office of the Legal Services Complaints Commissioner. It also makes provision to bring to a conclusion the handling by approved regulators of complaints relating to redress, subject to transitional provision made by articles 6 to 8.

Article 3 repeals, from 1st January 2011, the power of the Legal Services Ombudsman to recommend that a complaint be reconsidered by the professional body concerned.

Article 4 commences repeals of provisions in other legislation to give effect to the closure of the Legal Services Ombudsman on 31st December 2011.

Article 5 makes transitory provision removing references to the Legal Services Board as a licensing authority until the Board becomes a licensing authority under Part 5 (alternative business structures) of the 2007 Act.

Article 6 makes transitional provision in respect of the handling of complaints received but not determined by an approved regulator by 6th October 2010, and article 7 makes provision for any of those complaints which are not determined by 1st April 2011 to be investigated by the Legal Services Ombudsman.

Article 8 makes transitional provision in respect of the handling of any complaints being investigated by the Legal Services Ombudsman which have not been determined by 31st December 2011.

An impact assessment has not been prepared for this Order but a full Regulatory Impact Assessment was prepared for the Legal Services Bill in November 2006, supplemented in June 2007. Copies of those documents are annexed to the Explanatory Memorandum which is available alongside this instrument on the OPSI website.