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STATUTORY INSTRUMENTS

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**2009 No. 3250**

**The Legal Services Act 2007 (Commencement No. 6,  
Transitory, Transitional and Saving Provisions) Order 2009**

**Modification of provisions relating to the office of the Legal Services Ombudsman**

7.—(1) Until section 159 of the 2007 Act comes into force in so far as it relates to the office of the Legal Services Ombudsman, the following provisions of the 1990 Act have effect as modified by this article.

(2) For section 21(5) substitute—

“(5) The Legal Services Ombudsman must not be an authorised person within the meaning of section 18(1)(a) of the Legal Services Act 2007.”.

(3) For section 22(1) substitute—

“(1) Subject to the provisions of this Act, the Legal Services Ombudsman may investigate any allegation which is properly made to him and which relates to the manner in which a complaint made to an approved regulator with respect to—

- (a) a person who is or was authorised to carry on a reserved legal activity by that approved regulator,
- (b) any employee of such a person, or
- (c) if the person is a body, any manager of such a person,

has been dealt with by that approved regulator.”.

(4) In sections 22(4)(c), (5)(a), (6)(a) and (b) and 23(1)(d), (2)(a), (b), (d) and (e) and (2A) and paragraph 7(1) of Schedule 3 for “professional body” substitute “approved regulator”.

(5) In section 22(8)(b) for “a professional body” substitute “an approved regulator”.

(6) In sections 22(5)(b) and 23(2)(d) for “that body” substitute “that regulator”.

(7) In section 22(11)—

(a) for “In this section” substitute “In this Act”;

(b) omit the definition of “professional body”;

(c) before the definition of “recognised body” insert—

““approved regulator” means a body which —

- (a) is designated as an approved regulator by Part 1 of Schedule 4 to the Legal Services Act 2007 (with the exception of the Master of the Faculties); or
- (b) falls within the definition of “approved regulator” in section 20 of the Legal Services Act 2007 and is specified in an order made by the Secretary of State for the purpose of this subsection;”;

(d) after the definition of “recognised body” insert—

““reserved legal activity” has the meaning given in section 12 of, and Schedule 2 to, the Legal Services Act 2007; and”.

(8) In section 23(2A) for “or body” (in both places) substitute “or regulator”.

- (9) In section 23(11)—
- (a) for paragraph (a)(ii) substitute—
    - “(ii) is an authorised person within the meaning of section 18(1)(a) of the Legal Services Act 2007;”;
  - (b) in paragraph (c) after “an officer” insert “or manager”.
- (10) In section 24(1)—
- (a) for “any professional body” substitute “any approved regulator”;
  - (b) for “that body” substitute “that regulator”;
  - (c) for “that body’s” substitute “that regulator’s”.
- (11) In section 24(2) for “any professional body” substitute “any approved regulator”.