Draft Regulations laid before Parliament under section 206(5) of the Legal Services Act 2007, for approval by resolution of each House of Parliament.

D R A F T S T A T U T O R Y I N S T R U M E N T S

2016 No.

LEGAL SERVICES, ENGLAND AND WALES

The Legal Services Act 2007 (Claims Management Complaints) (Fees) (Amendment) Regulations 2016

Made - - - - ***

Coming into force in accordance with regulation 1

The Lord Chancellor makes the following Regulations in exercise of the power conferred by sections 174A(3) and (5) and 204(3) of the Legal Services Act 2007(**a**).

A draft of this instrument has been laid before Parliament in accordance with section 206(5) of that Act(**b**) and approved by a resolution of each House of Parliament.

Citation and commencement

1. These Regulations may be cited as the Legal Services Act 2007 (Claims Management Complaints) (Fees) (Amendment) Regulations 2016 and come into force on the day after the day on which they are made.

Amendments to the Legal Services Act 2007 (Claims Management Complaints) (Fees) Regulations 2014

2.—(1) The Schedule to the Legal Services Act 2007 (Claims Management Complaints) (Fees) Regulations 2014(**c**) is amended as follows.

(2) In the heading to paragraph 3, omit "for 2015-16 and subsequent complaints handling years".

(3) In paragraph 3—

(a) in sub-paragraph (2), for "£163,636.00" substitute "£154,286.00";

(b) in table 2—

(i) in column 1, for "163,636.00" substitute "154,286.00", and

(ii) in column 2—

(aa) for "75.00" substitute "105.00";

(**a**) 2007 c. 29. Section 174A was inserted by section 140 of the Financial Services (Banking Reform) Act 2013 (c. 33).
(**b**) Section 206(4)(oa) was inserted to refer to section 174A by section 140 of the Financial Services (Banking Reform) Act 2013.
(**c**) S.I. 2014/3316.

(bb) for “150.00” substitute “210.00”;

(cc) for “250.00” substitute “350.00”;

(dd) for “340.00” substitute “476.00”, and

(ee) for “540.00” substitute “756.00”;

(c) in sub-paragraph (3)—

(i) for “163,636.00” substitute “154,286.00”;

(ii) in Paragraph (a), for “0.33” substitute “0.49”;

(iii) in Paragraph (b), for “0.22” substitute “0.33”, and

(iv) in Paragraph (c), for “0.18” substitute “0.27”, and

(d) in sub-paragraph (4), for “40,000.00” substitute “59,950.00”.

(4) In the heading to paragraph 4, omit “for 2015-16 and subsequent complaints handling years”.

(5) In paragraph 4(3), for “£3,333.00” substitute “£4,996.00”.

Transitional provision

3.—(1) Regulation 2 does not affect the complaints fee for the first complaints handling year.

(2) In this regulation, “complaints fee” and “first complaints handling year” have the same meaning as in the Legal Services Act 2007 (Claims Management Complaints) (Fees) Regulations 2014.

Name
Parliamentary Under Secretary of State
Ministry of Justice

Date

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Legal Services Act 2007 (Claims Management Complaints) (Fees) Regulations 2014 (S.I. 2014/3316) (“the 2014 Regulations”).

The Compensation Act 2006 (c. 29) (“the 2006 Act”) provides for the designation of a Regulator for regulated claims management services. Where no one is designated as the Regulator and the Secretary of State carries out the function by virtue of section 5(9) of the 2006 Act, the Lord Chancellor may charge periodic fees on those providing regulated claim management services to recover the expenditure incurred by the Lord Chancellor in respect of the Office for Legal Complaints. These Regulations amend the levels of fees set by the 2014 Regulations, for the purposes of the year beginning with 1st April 2016 and subsequent years. This is to ensure that the fees meet the expenditure incurred by the Lord Chancellor.

An impact assessment has been prepared for this instrument and can be found at www.legislation.gov.uk or obtained from the Head of Legal Services Policy, Law and Access to Justice Group, Ministry of Justice, 102 Petty France, London SW1H 9AJ.

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