Draft Order laid before Parliament under section 206(4) and (5) of the Legal Services Act 2007, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2012 No.

LEGAL SERVICES, ENGLAND AND WALES

The Legal Services Act 2007 (The Law Society) (Modification of Functions) (Amendment) Order 2012

Made - - - - ***

Coming into force in accordance with article 2

The Lord Chancellor makes the following Order in exercise of the powers conferred by section 69 (1), (4) (6) and (7) of the Legal Services Act 2007(**a**).

In accordance with section 69(2) of that Act, the Order is made following a recommendation made by the Legal Services Board to which was annexed a draft Order in a form not materially different from this Order.

The Legal Services Board has made the recommendation with the consent required by section 70(1) of that Act and after complying with the requirements in section 70(2) to (4) of that Act.

A draft of this Order has been approved by a resolution of the each House of Parliament pursuant to section 206(4) and (5) of that Act.

Citation

1. This Order may be cited as the Legal Services Act 2007 (The Law Society) (Modification of Functions) (Amendment) Order 2012.

Commencement

2. This Order comes into force on the day after the day on which it is made.

Interpretation

3. In this Order "the 2011 Order" means the Legal Services Act 2007 (The Law Society and The Council for Licensed Conveyancers) (Modification of Functions) Order 2011(**b**).

(**a**) 2007 c.29.
(**b**) S.I. 2011/1716.

Amendment of article 5 of the 2011 Order

4.—(1) In the heading to article 5 of the 2011 Order omit "for a transitional period".

(2) In article 5 of the 2011 Order omit "in respect of a transitional period".

Extended power to make compensation rules: removal of transitional limitation

5.—(1) The Schedule to the 2011 Order (which extends the power to make compensation rules in respect of acts or omissions of solicitors to include acts or omissions of licensed bodies) is amended as follows.

(2) In the heading, omit "for a transitional period".

(3) In paragraph 1, omit the definition of "transitional period".

(4) In paragraph 2—

(a) in sub-paragraphs (a), (b) and (c), omit "which occurs during the transitional period";

(b) for sub-paragraph (d) substitute—

"(d) the exercise by the Society of any of its powers under Schedule 14 to the Legal Services Act 2007.".

Signed by authority of the Lord Chancellor

Name
Minister of State
Ministry of Justice

Date

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes amendments to the Legal Services Act 2007 (The Law Society and the Council for Licensed Conveyancers) (Modification of Functions) Order 2011 (S.I. 2001/1716) ("the principal Order") in respect of the functions of the Law Society.

Article 5 and the Schedule to the principal order modified provisions of the Solicitors Act 1974 (c.47) so as enable the Law Society to make rules to extend compensation arrangements which apply in relation to solicitors so that the arrangements could apply, for a transitional period, in relation to bodies which are licensed under Part 5 of the Legal Services Act 2007 (c.29). Articles 4 and 5 of this Order remove the provisions of the principal order which limited the effect of this modification to the transitional period, so that the Law Society's power to make compensation rules in relation to such licensed bodies will continue beyond the end of that period (which comes to an end on 31 December 2012).

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