EXPLANATORY MEMORANDUM TO

The Legal Complaints and Regulation Act (Northern Ireland) 2016 (Levy) Regulations 2025

S.R. 2025 No.120

1. Introduction

1.1. This Explanatory Memorandum has been prepared by the Department of Finance to accompany the Statutory Rule (details above) which is laid before the Northern Ireland Assembly.

1.2. The Statutory Rule is made under sections 5 and 6 of the Legal Complaints and Regulation Act (Northern Ireland) 2016 ("the Act") and is subject to the dtaft affirmative resolution procedure.

2. Purpose

2.1. The purpose of the Statutory Rule is to provide for the imposition of a levy on the Law Society of Northern Ireland and the Honourable Society of the Inn of Court i.e. Bar Council for the purpose of raising an amount corresponding to the expenditure of the Legal Services Oversight Commissioner incurred under or for the purposes of the Act or any other statutory provision.

3. Background

3.1. The background to, and policy objectives of, the Act can be accessed at https://www.legislation.gov.uk/nia/2016/14/notes/contents.

3.2. The policy of the Act is to create the position of LSOC and set out the powers that office holder should have. Those powers are strategic – the LSOC will not have operational responsibilities in terms of specific complaints – and will be concentrated on oversight of the complaints-handling systems of the Law Society and, for the first time, the Bar.

3.3. The Act provides for the Commissioner's office to be funded by way of a levy on the Law Society and the Honourable Society of the Inn of Court i.e. Bar Council.

4. Consultation

4.1. The Department of Finance consulted with the Law Society and Bar Council in the development of this Statutory Rule.

5. Equality Impact

5.1. There is no evidence of any equality impact in the context of s75 of the Northern Ireland Act 1998.

6. Regulatory Impact

6.1. See above.

7. Financial Implications

7.1. There are no financial implications to the Department.

8. Section 24 of the Northern Ireland Act 1998

8.1. The Statutory Rule is compliant with Section 24 of the Northern Ireland Act 1998.

9. EU Implications

9.1. Not applicable.

10. Parity or Replicatory Measure

10.1. Not applicable.

11. Additional Information

11.1. Not applicable.