



# Legal Services (Scotland) Act 2010

## 2010 asp 16

### PART 4

#### THE LEGAL PROFESSION

### CHAPTER 4

#### OTHER BODIES

##### *Scottish Legal Complaints Commission*

#### 143 Relevant practitioners

In section 46(1) (interpretation of Part 1) of the 2007 Act—

- (a) in the definition of “inadequate professional services”, after paragraph (a)(v) insert—
  - “(vi) a registered European or foreign lawyer, professional services that are in any respect not of the quality which could reasonably be expected of a competent lawyer of that type;”,
- (b) in the definition of “practitioner”, after paragraph (g) insert—
  - “(h) a registered European or foreign lawyer, whether or not registered at that time and notwithstanding that subsequent to that time the lawyer's registration has ceased to have effect or the lawyer has stopped practising;”,
- (c) after the definition of “practitioner” insert—
  - ““registered European or foreign lawyer” is to be construed in accordance with section 65(1) of the 1980 Act;”,
- (d) in the definition of “relevant professional organisation”, after paragraph (d) insert—
  - “(e) a registered European or foreign lawyer, the Council;”,
- (e) in the definition of “unsatisfactory professional conduct”, after paragraph (d) insert—

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**Changes to legislation:** There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Cross Heading: Scottish Legal Complaints Commission. (See end of Document for details)

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- “(e) a registered European or foreign lawyer, conduct that is not of the standard which could reasonably be expected of a competent and reputable lawyer of that type;”.

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**Commencement Information**

**I1** S. 143 in force at 1.4.2011 by S.S.I. 2011/180, art. 3, Sch.

## 144 Minor amendments

In the 2007 Act—

- (a) in section 29—
- (i) in subsection (4), after “members” insert “, and the Scottish Ministers,”
  - (ii) in subsection (9), for “subsection (1)” substitute “ subsection (8) ”,
- (b) in section 46(1), in paragraph (c) in the definition of “unsatisfactory professional conduct”, for “section 27 of this Act” substitute “ section 27 of the 1990 Act ”,
- (c) in paragraph 13(2)(a) of schedule 1—
- (i) for “the function of deciding” substitute “ a decision ”,
  - (ii) for “whether” substitute “ that ”,
  - (iii) for “exercised” substitute “ taken ”,
- (d) in paragraph 1(h)(iii) of schedule 3 for “whether” substitute “ that ”.

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**Commencement Information**

**I2** S. 144 in force at 1.4.2011 by S.S.I. 2011/180, art. 3, Sch.

## 145 The 2007 Act: further provision

- (1) In section 78 (ancillary provision) of the 2007 Act, after subsection (1) insert—

“(1A) The Scottish Ministers may make such further provision as, having regard to the effect of the Legal Services Act 2007 so far as concerning the subject matter of Parts 1 and 2 of this Act (and applying in Scotland), they consider necessary or expedient in connection with this Act or any related provisions of the 1980 Act.”.

- (2) In section 79 (regulations or orders) of the 2007 Act, in subsection (3)(c)(i), after “section 78(1)” insert “ or (1A) ”.

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**Commencement Information**

**I3** S. 145 in force at 1.4.2011 by S.S.I. 2011/180, art. 3, Sch.

**Changes to legislation:**

There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010,  
Cross Heading: Scottish Legal Complaints Commission.