



Legal Services (Scotland) Act 2010

2010 asp 16

PART 2

REGULATION OF LICENSED LEGAL SERVICES

CHAPTER 1

APPROVED REGULATORS

Internal governance

27 Internal governance arrangements

- (1) The internal governance arrangements of an approved regulator must incorporate such provision as is necessary with a view to ensuring that the approved regulator will—
 - (a) always exercise its regulatory functions—
 - (i) independently of any other person or interest,
 - (ii) properly in other respects (in particular, with a view to achieving public confidence),
 - (b) continue to allocate sufficient resources (financial and otherwise) to the exercise of its regulatory functions,
 - (c) review regularly how effectively it is exercising its regulatory functions (in particular, by reviewing the effectiveness of its regulatory scheme).
- (2) In relation to an approved regulator which has representative functions, relevant factors in connection with subsection (1)(a) include (in particular) the need for—
 - (a) the approved regulator's code of conduct (if any) for its members to be compatible with the regulatory objectives and the professional principles,
 - (b) the approved regulator to—
 - (i) exercise its regulatory functions separately from its other functions (in particular, any representative functions), and
 - (ii) avoid conflicts of interest in relation to its regulatory functions,

Changes to legislation: There are currently no known outstanding effects for the Legal Services (Scotland) Act 2010, Section 27. (See end of Document for details)

- (c) the approved regulator to secure that a reasonable proportion of the individuals who are responsible for the exercise of its regulatory functions are not qualified legal practitioners.
- (3) The approved regulator's regard to the factor mentioned in subsection (2)(b) is demonstrable by (for example) its securing that within its structure its regulatory functions are clearly demarcated.

Commencement Information

II [S. 27](#) in force at 1.4.2011 by [S.S.I. 2011/180](#), art. 3, [Sch.](#)

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