



# Legal Services (Scotland) Act 2010

## 2010 asp 16

### PART 2

#### REGULATION OF LICENSED LEGAL SERVICES

#### CHAPTER 1

#### APPROVED REGULATORS

##### *Internal governance*

#### **28 Communicating outside**

- (1) The internal governance arrangements of an approved regulator must not, in relation to the persons who are involved in the exercise of its regulatory functions, prevent the persons from engaging in consultation or other communication with—
  - (a) other approved regulators,
  - (b) the Scottish Ministers,
  - (c) the Scottish Legal Aid Board,
  - (d) the Scottish Legal Complaints Commission, or
  - (e) the OFT, or any other public body which has functions concerning the application of competition law.
- (2) Where an approved regulator has representative functions, its internal governance arrangements must not, in relation to any person who—
  - (a) is involved in the exercise of its regulatory functions, and
  - (b) considers that the independence or effectiveness of the approved regulator's exercise of its regulatory functions is being (or has been) for any reason adversely affected by the furtherance of its representative functions,prevent the person from notifying the Scottish Ministers accordingly.
- (3) Subsections (1) and (2) are subject to any overriding prohibition or restriction arising by virtue of any relevant—
  - (a) enactment or rule of law, or

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*Status: This is the original version (as it was originally enacted).*

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(b) rule of professional conduct or ethics.