

*These notes refer to the Legal Services Act 2007 (c.29)  
which received Royal Assent on 30th October 2007*

# LEGAL SERVICES ACT 2007

---

## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### **Part 6: Legal Complaints**

#### **Complaints Handling – the new system**

#### ***Section 140: Acceptance or rejection of determination***

360. In determining a complaint the ombudsman is required to prepare a written statement of the determination (*section 140(1)*). *Section 140(2)* sets out the detail of what should be included in this statement, and *section 140(3)* lists the people and bodies to whom the statement must be supplied. If the determination is accepted by the complainant, it is binding on both parties (*section 140(4)*), and no further legal proceedings can be instituted with regard to the matter that was the subject of the complaint (*section 140(11)*); but if the complainant does not notify acceptance within the time specified for this purpose, the complainant is to be taken as having rejected the determination (*section 140(5) and 140(8)*). However, there may be circumstances where a person is unable to reply to the determination within the time specified and *sections 140(6) and 140(7)* provide for this. On acceptance or rejection by the complainant, the ombudsman must give notice to those parties set out in *section 140(7)*, and the ombudsman's certificate of determination is evidence that the determination was duly made under the scheme (*sections 140(9) and 140(10)*).