Draft Regulations laid before Parliament under section 120(4) of the Courts and Legal Services Act 1990, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2004 No

LEGAL SERVICES, ENGLAND AND WALES

The Legal Services Ombudsman (Extension of Remit) Regulations 2004

Made - - - -

Coming into force in accordance with article 1

Whereas a draft of these Regulations has been laid before, and approved by a resolution of, each House of Parliament pursuant to section 120(4) of the Courts and Legal Services Act 1990(**1**);

Now, therefore, the Secretary of State, in exercise of the powers conferred by section 26(1) of that Act, and now vested in him(**2**), makes the following Regulations:

1. These Regulations may be cited as the Legal Services Ombudsman (Extension of Remit) Regulations 2004 and shall come into force on the day after the day on which they are made.

2. In these Regulations—

(a) "the 1990 Act" means the Courts and Legal Services Act 1990, and

(b) "approved body" means a professional or other body which is approved by the Secretary of State under Schedule 9 to the 1990 Act.

3. The provisions of sections 21 to 25 of the 1990 Act shall have effect in relation to the investigation by the Legal Services Ombudsman of allegations relating to complaints which—

(a) are made to an approved body, and

(b) are concerned with the provision of probate services.

4.—(1) Those sections, as they apply by virtue of regulation 3, shall have effect as follows.

(2) Subsection (1) of section 22 shall be read as referring to the manner in which any complaint within regulation 3 with respect to—

(a) a person who is or was a member of the approved body in question and granted exemption by that body under section 55 of the 1990 Act, or

(**1**) 1990 c. 41. Sections 21, 22 and 26 were amended by S.I.2003/1887, section 23 was amended by section 49 of the Access to Justice Act 1999 (c. 22) and section 24 was amended by Part II of Schedule 15 to the same Act.

(**2**) The Secretary of State for Constitutional Affairs Order 2003 (S.I. 2003/1887).