



# 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 [<sup>F1</sup>CMA], 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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*Changes to legislation:* There are currently no known outstanding effects for the  
Legal Services (Scotland) Act 2010, Section 28. (See end of Document for details)

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(b) rule of professional conduct or ethics.

**Textual Amendments**

**F1** Word in s. 28(1)(e) substituted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 6 para. 195](#); S.I. 2014/416, art. 2(1)(d) (with Sch.)

**Commencement Information**

**I1** S. 28 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, Section 28.