



Legal Profession and Legal Aid (Scotland) Act 2007

2007 asp 5

PART 1

THE SCOTTISH LEGAL COMPLAINTS COMMISSION

Conduct or services complaints against practitioners

6 Complaint determined to be conduct complaint

[^{F1}(1) This section applies where, or to the extent that, the Commission—

- (a) determines under section 2(1A)(a) that a complaint is a conduct complaint, and
- (b) proceeds to determine under section 2(4) whether the complaint is frivolous, vexatious or totally without merit and determines that it is none of these things.]

[^{F2}(2) [^{F3}The Commission must]—

- (a) remit the complaint to the relevant professional organisation to deal with (and give to the organisation any material which accompanies the conduct complaint);
- (b) give notice in writing to the complainer and the practitioner by sending to each of them a copy of the determination [^{F4}under section 2(1A)(a)] and specifying—
 - (i) the reasons for the determination;
 - (ii) that the conduct complaint is being remitted under this section for investigation and determination by the relevant professional organisation;
 - (iii) the relevant professional organisation to which it is being remitted;
 - (iv) that the relevant professional organisation is under a duty under this Act to deal with the conduct complaint.]

Changes to legislation: Legal Profession and Legal Aid (Scotland) Act 2007, Section 6 is up to date with all changes known to be in force on or before 22 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Textual Amendments

- F1** S. 6(1) inserted (1.1.2015) by [The Scottish Legal Complaints Commission \(Modification of Duties and Powers\) Regulations 2014 \(S.S.I. 2014/232\)](#) , regs. 1(2) , **2(5)(a)** (with reg. 4)
- F2** Words in s. 6 renumbered as s. 6(2) (1.1.2015) by [The Scottish Legal Complaints Commission \(Modification of Duties and Powers\) Regulations 2014 \(S.S.I. 2014/232\)](#) , regs. 1(2) , **2(5)(b)** (with reg. 4)
- F3** Words in s. 6(2) substituted (1.1.2015) by [The Scottish Legal Complaints Commission \(Modification of Duties and Powers\) Regulations 2014 \(S.S.I. 2014/232\)](#) , regs. 1(2) , **2(5)(c)(i)** (with reg. 4)
- F4** Words in s. 6(2) inserted (1.1.2015) by [The Scottish Legal Complaints Commission \(Modification of Duties and Powers\) Regulations 2014 \(S.S.I. 2014/232\)](#) , regs. 1(2) , **2(5)(c)(ii)** (with reg. 4)

Changes to legislation:

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Sch. 1 para. 2(6)(ba) inserted by [2010 asp 16 s. 118\(4\)](#)