

Status: Point in time view as at 01/01/2011. This version of this schedule contains provisions that are prospective.

Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, SCHEDULE 19. (See end of Document for details)

SCHEDULES

SCHEDULE 19

Section 187

CLAIMS MANAGEMENT SERVICES

1 The Compensation Act 2006 (c. 29) is amended in accordance with this Schedule.

PROSPECTIVE

F1

Textual Amendments

F1 Sch. 19 omitted (29.11.2018 for specified purposes, 1.4.2019 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Claims Management Activity\) Order 2018 \(S.I. 2018/1253\)](#), arts. 1(2)(3), **95(7)** (with arts. 106, 108)

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5 (1) Section 7 (enforcement: offence) is amended as follows.

(2) In subsection (2)(b)—

(a) in sub-paragraph (i) for “51 weeks” substitute “ 12 months ”, and

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(b) in sub-paragraph (ii) for “level 5 on the standard scale” substitute “ the statutory maximum ”.

(3) For subsection (3) substitute—

“(3) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003 the reference in subsection (2)(b)(i) to 12 months is to be read as a reference to 6 months.”

6 (1) Section 8 (enforcement: the Regulator) is amended as follows.

(2) In subsection (5)—

(a) after “the Regulator” (in the second place) insert “—
(a) ”, and

(b) after “Part” insert “, and

(b) to take possession of any written or electronic records found on the search for the purposes of subsection (6).”

(3) After subsection (8) insert—

“(9) The Secretary of State may not make regulations under subsection (8) unless—

(a) they are made in accordance with a recommendation made by the Legal Services Board, or

(b) the Secretary of State has consulted the Legal Services Board about the making of the regulations.”

Commencement Information

II Sch. 19 para. 6 partly in force; Sch. 19 para. 6 not in force at Royal Assent see s. 211; Sch. 19 para. 6(1) (2) in force at 30.6.2008 by [S.I. 2008/1436](#), [art. 2\(e\)](#)

PROSPECTIVE

F1

Textual Amendments

F1 Sch. 19 omitted (29.11.2018 for specified purposes, 1.4.2019 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Claims Management Activity\) Order 2018 \(S.I. 2018/1253\)](#), [arts. 1\(2\)\(3\), 95\(7\)](#) (with [arts. 106, 108](#))

8 (1) Section 11 (pretending to be authorised etc) is amended as follows.

(2) In subsection (4)(b)—

(a) in sub-paragraph (i) for “51 weeks” substitute “ 12 months ”, and

(b) in sub-paragraph (ii) for “level 5 on the standard scale” substitute “ the statutory maximum ”.

(3) For subsection (6) substitute—

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“(6) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003 the reference in subsection (4)(b)(i) to 12 months is to be read as a reference to 6 months.”

9 F2

Textual Amendments

F2 Sch. 19 para. 9 repealed (18.1.2010) by [The Transfer of Tribunal Functions Order 2010 \(S.I. 2010/22\)](#), arts. 1(1), 5(3), [Sch. 4 Pt. 1](#)

PROSPECTIVE

F1

Textual Amendments

F1 Sch. 19 omitted (29.11.2018 for specified purposes, 1.4.2019 in so far as not already in force) by virtue of [The Financial Services and Markets Act 2000 \(Claims Management Activity\) Order 2018 \(S.I. 2018/1253\)](#), arts. 1(2)(3), [95\(7\)](#) (with arts. 106, 108)

- 11 (1) The Schedule (claims management regulations) is amended as follows.
- (2) In paragraph 5(3)(a) for “, guidance or a code given or issued” substitute “ or guidance given ”.
- (3) In paragraph 7—
- (a) in paragraph (e) for “Secretary of State” substitute “ Legal Services Board ”,
 - (b) in paragraph (g)—
 - (i) for “Secretary of State” substitute “ Legal Services Board ”, and
 - (ii) after “Fund” insert “ after consultation with the Secretary of State ”.
- (4) In paragraph 8(2)(a)(ii) for “Secretary of State” substitute “ Legal Services Board ”.
- (5) In paragraph 9(2)(a)(ii) for “Secretary of State” substitute “ Legal Services Board ”.
- (6) In paragraph 14, in sub-paragraph (2) for “to enter” to the end substitute—
- “(a) to enter and search premises on which a person conducts or is alleged to conduct regulated claims management business, for the purposes of—
 - (i) investigating a complaint about the activities of an authorised person, or
 - (ii) assessing compliance with terms and conditions of an authorisation, and
 - (b) to take possession of written or electronic records found on the search for the purposes of taking copies in accordance with regulations under sub-paragraph (3).”

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Commencement Information

- I2** Sch. 19 para. 11 partly in force; Sch. 19 para. 11 not in force at Royal Assent see s. 211; Sch. 19 para. 11(1)(6) in force at 30.6.2008 by [S.I. 2008/1436](#), [art. 2\(e\)](#)

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