



# Legal Services Act 2007

## 2007 CHAPTER 29

### PART 6 **E+W**

#### LEGAL COMPLAINTS

##### *Jurisdiction and operation of the ombudsman scheme*

#### **136 Charges payable by respondents **E+W****

- (1) Scheme rules must require respondents, in relation to complaints under the ombudsman scheme, to pay to the OLC such charges as may be specified in the rules.
- (2) The rules must provide for charges payable in relation to a complaint to be waived (or wholly refunded) where—
  - (a) the complaint is determined or otherwise resolved in favour of the respondent, and
  - (b) the ombudsman is satisfied that the respondent took all reasonable steps to try to resolve the complaint under the respondent's complaints procedures.
- (3) The rules may make provision as to—
  - (a) the circumstances in which a complaint is to be treated as determined or otherwise resolved in favour of the respondent (which may include circumstances where a complaint is settled, withdrawn or abandoned (or treated as withdrawn or abandoned by virtue of scheme rules));
  - (b) matters to be taken into account by the ombudsman for the purposes of subsection (2)(b).
- (4) The respondent's complaints procedures are the procedures established by the respondent, or which the respondent participates in or is subject to, in accordance with regulatory arrangements (or licensing rules of the Board) made in accordance with section 112.
- (5) The rules may, among other things—

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*Changes to legislation: There are currently no known outstanding effects for the Legal Services Act 2007, Section 136. (See end of Document for details)*

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- (a) provide for the OLC to reduce or waive a charge in such other circumstances as may be specified;
  - (b) set different charges for different stages of the proceedings on a complaint;
  - (c) provide for charges to be wholly or partly refunded in such other circumstances as may be specified;
  - (d) provide that if the whole or any part of a charge is not paid by the time by which it is required to be paid under the rules, the unpaid balance from time to time carries interest at the rate specified in, or determined in accordance with, the rules.
- (6) Any charge which is owed to the OLC by virtue of rules made under this section may be recovered as a debt due to the OLC.

**Changes to legislation:**

There are currently no known outstanding effects for the Legal Services Act 2007, Section 136.