
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2008 No.

**The Legal Profession and Legal Aid
(Scotland) Act 2007 (Transitional, Savings
and Consequential Provisions) Order 2008**

Section 33 of the 1990 Act

2.—(1) Paragraph (2) applies despite the repeal of section 33 of the 1990 Act by virtue of sections 195(5) and 210 of, and paragraph 2 of Schedule 20 and Schedule 23 to, the Legal Services Act 2007⁽¹⁾.

- (2) Subject to paragraph (3), section 33 of the 1990 Act continues to have effect where—
- (a) in relation to a complaint that a practitioner has been guilty of professional misconduct, the conduct giving rise to the complaint occurred before the relevant date;
 - (b) in relation to a complaint that a practitioner has provided inadequate professional services, those services have been provided in connection with a matter in which the practitioner was first instructed before the relevant date;
 - (c) in relation to a complaint that a practitioner has been guilty of professional misconduct and has provided inadequate professional services, those services have been provided in connection with a matter in which the practitioner was first instructed before the relevant date.

(3) This article has effect in relation to a complaint made during the period beginning with the relevant date and ending 2 years from that date.