

Status: Point in time view as at 23/05/1991. This version of this schedule contains provisions that are not valid for this point in time.

Changes to legislation: Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, SCHEDULE 3 is up to date with all changes known to be in force on or before 30 August 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)

SCHEDULES

SCHEDULE 3

Section 34.

SCOTTISH LEGAL SERVICES OMBUDSMAN

- ^{F1} The Scottish legal services ombudsman (the “ombudsman”) shall hold and vacate his office in accordance with the terms of his appointment and shall, on ceasing to hold office, be eligible for re-appointment.

Textual Amendments

F1 Sch. 3 para. 1 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

- ^{F2} The Secretary of State may give general directions to the ombudsman about the scope and discharge of his functions, and shall publish any such directions.

Textual Amendments

F2 Sch. 3 para. 2 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

- 3 (1) The Secretary of State may with the consent of the Treasury determine the terms and conditions of service, including remuneration, of the ombudsman.
- (2) Where a person appointed to the office of ombudsman ceases to hold that office otherwise than on the expiry of the term of office specified in his appointment, and it appears to the Secretary of State that there are special circumstances which make it right for that person to receive compensation, the Secretary of State may, with the consent of the Treasury, make a payment to that person of such amount as the Secretary of State may, with the consent of the Treasury, determine.

Commencement Information

I1 Sch. 3 para. 3 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

- 4 The Secretary of State may appoint staff for the ombudsman of such number, and on such terms and conditions of service, as he may with the consent of the Treasury determine; and such terms and conditions may include provision as to remuneration, and as to compensation for loss of employment (which may take the form of pensions, allowances or gratuities).

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Commencement Information

I2 Sch. 3 para. 4 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

^{F3}5 Neither the ombudsman nor his staff are, in such capacity, Crown servants.

Textual Amendments

F3 Sch. 3 para. 5 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

6 The Secretary of State shall pay the expenses of the ombudsman and of his staff.

Commencement Information

I3 Sch. 3 para. 6 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

7 Without prejudice to section 33(3) of this Act, a professional organisation within the meaning of subsection (5) of that section shall furnish the ombudsman with such information as he may from time to time reasonably require.

Commencement Information

I4 Sch. 3 para. 7 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

8 Every such professional organisation shall, severally, consider any report which they may receive from the ombudsman, and shall notify him of any action which they have taken in consequence.

Commencement Information

I5 Sch. 3 para. 8 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

9 The ombudsman shall make an annual report of the discharge of the functions conferred on him under this Act to the Secretary of State.

Commencement Information

I6 Sch. 3 para. 9 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

VALID FROM 21/05/1997

[^{F4}9A The ombudsman may, in addition to making a report under paragraph 9 above, report to the Secretary of State at any time on any matter relating to the discharge of the ombudsman's functions.]

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Textual Amendments

F4 Sch. 3 para. 9A inserted (21.5.1997) by 1997 c. 35, ss. 4, 6, 11(2)

VALID FROM 21/05/1997

[^{F5}9B The ombudsman shall provide the Secretary of State with such information relating to the discharge of the ombudsman's functions as the Secretary of State may see fit to require.]

Textual Amendments

F5 Sch. 3 para. 9B inserted (21.5.1997) by 1997 c. 35, ss. 4, 6, 11(2)

10 The Secretary of State shall lay any report made to him under paragraph 9 above before each House of Parliament.

Commencement Information

I7 Sch. 3 para. 10 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

11 In Part III of Schedule 1 to the ^{M1}House of Commons Disqualification Act 1975 (offices disqualifying for membership) there shall be inserted at the appropriate place in alphabetical order the entry “Scottish legal services ombudsman appointed under section 34 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990”.

Commencement Information

I8 Sch. 3 para. 11 wholly in force at 1.4.1991 see s. 75(2) and S.I. 1991/822, art. 3, Schedule

Marginal Citations

M1 1975 c. 24.

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