

SCHEDULES

SCHEDULE 3

Section 34.

SCOTTISH LEGAL SERVICES OMBUDSMAN

- 1 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.
- 2 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.
- 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.
- 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).
- 5 Neither the ombudsman nor his staff are, in such capacity, Crown servants.
- 6 The Secretary of State shall pay the expenses of the ombudsman and of his staff.
- 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.
- 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.
- 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.
- 10 The Secretary of State shall lay any report made to him under paragraph 9 above before each House of Parliament.
- 11 In Part III of Schedule 1 to the 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”.