



## **FACULTY OF ADVOCATES**

### **Response to the Scottish Government consultation on the commencement and implementation of the Regulation of Legal Services (Scotland) Act 2025**

**1. Do you support the proposed phased commencement of the Act as outlined in this consultation, including the limited commencement of the provisions outlined, to be followed by the commencement of the wider Act in further stages?**

1.1. Yes. Faculty supports a phased approach to commencement of the Regulation of Legal Services (Scotland) Act 2025. The Act introduces significant changes to the regulatory framework. A phased approach will enable those changes to be introduced in a considered and orderly manner, which will serve to achieve the aims of the Act.

**2. Do you agree with the proposed commencement of section 48 (ALB rules)?**

2.1. Section 48 requires the Law Society of Scotland to make rules for authorising and regulating authorised legal businesses (ALB rules) in accordance with section 41. ALBs will have no direct impact on Faculty. Accordingly, Faculty expresses no view on this proposal.

**3. Do you agree with the proposed commencement of changes to SLCC board membership (section 79)?**

3.1. Yes. Faculty welcomes the early commencement of these changes to the composition and terms of appointment of the membership of the SLCC board. It agrees with the view expressed by Consumer Scotland that early commencement of these provisions and, in particular, the changes to the terms of appointment of members of the SLCC board will provide flexibility during the period of implementation of the Act.

**4. Do you support the commencement of the expansion of the Consumer Panel's remit (Section 80)?**

4.1. Yes. Faculty welcomes the early commencement of these changes, which will enable the Consumer Panel to contribute to the development of the regulatory landscape during the course of the implementation of the Act.

**5. Do you agree with the proposed commencement of section 89 to enable third sector bodies to directly employ solicitors?**

5.1. Section 89 removes certain practising restrictions to enable solicitors to be employed directly by law centres, citizens advice bodies and charities. These changes will have no direct impact on Faculty. Accordingly, Faculty expresses no view on this proposal.

**6. Do you support the commencement of section 95 to allow the Lord President to make rules under the Act?**

6.1. Yes. Faculty welcomes the early commencement of section 95, which will enable the Lord President to make rules in connection with the exercise of his functions under Part 1 or 2 of the Act, after consultation with the independent advisory panel of the SLCC and each category 1 and category 2 regulator.

**7. Are the proposed changes to the SSDT (schedule 3, paragraphs 34 & 35) appropriate for early commencement?**

7.1. Paragraphs 34 and 35 of schedule 3 to the Act make changes to the constitution and procedure of the Scottish Solicitors' Discipline Tribunal. These changes will have no direct impact on Faculty. Accordingly, Faculty expresses no view on this proposal.

**8. Do you have any other comments or suggestions regarding the commencement and implementation of the Regulation of Legal Services (Scotland) Act 2025?**

8.1. No. Faculty welcomes the opportunity to respond to this consultation, and it will be pleased to comment further on any proposals for commencement and implementation of the other provisions of the Act.