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Karen Adam MSP
Convener
Equalities, Human Rights and Civil Justice
Committee

19 February 2026

Dear Convener,

Regulation of Legal Services (Scotland) Act 2025 – Update on implementation

I am writing to provide the Equalities, Human Rights and Civil Justice Committee with an update in relation to the implementation of the Regulation of Legal Service (Scotland) Act 2025 (“the Act”).

Scotland’s legal services regulators have begun the process of preparing for the changes introduced by the Act. While we will strive to bring the Act into force as quickly as can reasonably be done, we anticipate commencement taking a phased approach to support those preparations.

We have identified a small number of provisions which can be brought into force in the first phase, included in the commencement regulations which have now been laid in the Scottish Parliament. Commencing these selected provisions now provides clarity to stakeholders and momentum as we move forward with the reform programme.

This follows a period of consultation with our key stakeholders, including the Law Society of Scotland (“the Law Society”), the Scottish Legal Complaints Commission (“SLCC”), the Faculty of Advocates, the Association of Construction Attorneys (“ACA”) and the Lord President, as well as consumer groups, including Consumer Scotland and the SLCC Consumer Panel. Consideration of further phases of commencement will be a matter for the incoming Scottish Government following the 2026 Scottish Parliament election.

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The sections of the Act which will be commencement first are outlined below:

Law Society of Scotland:

- Section 48 requires the Law Society to prepare rules in respect of Authorised Legal Businesses (“ALBs”) within a period of up to three years, as agreed with the Lord President.
- The introduction of entity regulation is one of the most significant changes contained in the Act which will impact the whole landscape of legal services regulation. Commencing this section ensures that the first step is taken to bringing these changes into effect and provides some certainty for the legal profession.

Scottish Legal Complaints Commission:

- Section 79 (Commission membership)

Amendments to the Legal Profession and Legal Aid (Scotland) Act 2007 will provide greater flexibility in the number of SLCC members who can be appointed and remove strict eligibility requirements for lawyer members. It also changes the appointment period to between five and eight years, where previously the legislation only allowed for members to be appointed for a maximum of length of 5 years and reappointments were only possible if there was a 3-year gap between the next appointment.

This will allow for better succession planning and continuity within the Board while also maintaining effective members on public boards who have gained valuable experience and skills which can be shared with newer members. Upcoming recruitment of new Board members will benefit from these changes.

- Section 80 (Role of the independent advisory (consumer) panel). This would come into force in July 2026 to align with the new SLCC financial year.

Commencing section 80 expands the functions of the Consumer Panel, allowing it to make recommendations to the SLCC, regulatory bodies and the Lord President in relation to their functions under the Act, and requires that the panel be adequately funded, and so strengthens consumer protection, which is a guiding principle of the Act. This allows the Consumer Panel to comment on wider implementation of the Act which gives a clear message that the consumer voice is placed at the heart of the legislation.

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Third Sector advice:

- Section 89 (Removal of practising restrictions: law centres, citizens advice bodies and charities).

These amendments remove restrictions to solicitors being employed directly by, and otherwise acting for, third sector bodies. We consider that this provision is sufficiently independent of the rest of the Act to be commenced before the majority of the provisions. Commencement would be an immediate benefit, allowing third sector bodies and law centres to directly employ solicitors to support vulnerable clients.

Lord President:

- Section 95 (Lord President's functions under Parts 1 and 2: rule-making power)

Commencement of this provision allows the Lord President to make rules relating to how his functions under the Act will be exercised. Implementing this in advance of wider commencement gives the Lord President the time to consider and produce rules before the functions take effect. The Lord President has advised he is content with this approach.

I hope that this update on implementation of the Act is helpful. Please be assured that I will continue to provide the Committee with updates on implementation as work progresses.

Yours sincerely

SIOBHIAN BROWN

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