

SCHEDULES

SCHEDULE 7

TRANSITIONAL PROVISIONS AND SAVINGS

PART IV

OTHER TRANSITIONAL PROVISIONS AND SAVINGS

Compensation for members of abolished consumer bodies

- 24 The Secretary of State may pay to any person who immediately before the abolition by this Act of—
- (a) a consumers' committee established under section 2 of the 1989 Act; or
 - (b) the Gas Consumers' Council,
- is the chairman or member of that body such sums by way of compensation for loss of office, or loss or diminution of pension rights, as the Secretary of State may with the approval of the Treasury determine.

Consultation by Council before establishing regional committees

- 25 The requirements in paragraph 11(2) to (4) of Schedule 2 to this Act do not apply to any regional committee of the Gas and Electricity Consumer Council which is established within the period of two months beginning with the day on which section 18(2) of this Act comes into force.

First financial years of Authority and Council

- 26 (1) In this paragraph “the body” means the Authority or the Council.
- (2) If the period beginning with the day on which the body is established and ending with the next 31st March is six months or more, the first financial year of the body is that period.
- (3) If the period mentioned in sub-paragraph (2) is less than six months, the first financial year of the body is the period beginning with the day on which the body is established and ending with 31st March in the following year.

First forward work programmes of Authority and Council

- 27 The Authority's first forward work programme required by section 4(1) shall relate to the financial year following its first financial year.
- 28 (1) The Council's first forward work programme required by section 4(1) shall be published within the period of three months beginning with the day on which the Council is established.

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- (2) That forward work programme shall relate to the Council's plans for the period beginning with the day on which it is published and ending with the last day of the Council's first financial year (and section 4 shall apply accordingly).

Last annual reports of the Directors

- 29 (1) After the abolition of the offices of Director General of Gas Supply and Director General of Electricity Supply, any duty of either Director to make an annual report, in relation to any calendar year for which such a report has not been made, shall be carried out by the Authority.
- (2) The period between the abolition of those offices and the end of the preceding calendar year (if less than 12 months) shall be treated as the calendar year for which the last annual reports are required.
- (3) If that period is nine months or more, the Authority shall make the last annual reports as soon as practicable after the end of that period.
- (4) If that period is less than nine months, the last annual reports shall be made no later than the first report of the Authority under section 5(1).
- (5) In this paragraph "annual reports" means reports required by section 39(1) of the 1986 Act and section 50(1) of the 1989 Act.

Last annual report of the Gas Consumers' Council

- 30 (1) After the abolition of the Gas Consumers' Council, any duty of the Gas Consumers' Council to make an annual report, in relation to any calendar year for which such a report has not been made, shall be carried out by the Council.
- (2) The period between the abolition of the Gas Consumers' Council and the end of the preceding calendar year (if less than 12 months) shall be treated as the calendar year for which the last annual report is required.
- (3) If that period is nine months or more, the Council shall make the last annual report as soon as practicable after the end of that period.
- (4) If that period is less than nine months the last annual report shall be made no later than the first report of the Council under paragraph 6 of Schedule 2.
- (5) In this paragraph "annual report" means a report required by section 41 of the 1986 Act.

Investigations being carried out under the 1986 Act

- 31 (1) This paragraph applies to any matter—
- (a) being investigated by the Director General of Gas Supply under section 31 of the 1986 Act (duty to investigate certain matters) immediately before the repeal by this Act of that section;
 - (b) being investigated by the Gas Consumers' Council under section 32 of the 1986 Act immediately before the commencement of section 22(1) above;
 - (c) being investigated by that Council under section 32A of the 1986 Act immediately before the repeal by this Act of that section;

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- (d) being investigated by that Council under section 33 of the 1986 Act (power to investigate certain matters) immediately before the commencement of section 23(1) above.
- (2) If the matter being investigated is a matter which appears to the Council to be a matter which is or amounts to a complaint to which section 32 of the 1986 Act (as substituted by section 22(1) above) applies, the Council shall treat the matter as if it were a complaint referred to it under that section.
- (3) In any other case the Authority shall either—
 - (a) agree with the Council that the Council is to investigate the matter under section 33 of the 1986 Act (as substituted by section 23(1) above); or
 - (b) make such further investigations of the matter, and take such action, as it considers appropriate.
- (4) Where the Council or the Authority is required by virtue of sub-paragraph (2) or (3) to investigate a matter, it may treat anything done by the Director General of Gas Supply or the Gas Consumers' Council in investigating that matter as if done for the purposes of its own investigation.
- (5) The Director General of Gas Supply and the Gas Consumers' Council shall give the Authority and the Council such information or assistance as may be necessary to enable them to carry out their functions under this paragraph.

Investigations being carried out under the 1989 Act

- 32 (1) This paragraph applies to any matter—
- (a) being investigated by the Director General of Electricity Supply or a consumers' committee under section 45 of the 1989 Act (investigation of enforcement matters) immediately before the repeal by this Act of that section;
 - (b) being investigated by a consumers' committee under section 46 of the 1989 Act (duty of consumers' committees to investigate certain matters) immediately before the commencement of section 22(2) above.
- (2) If the matter being investigated is a matter which appears to the Council to be a matter which is or amounts to a complaint to which section 46 of the 1989 Act (as substituted by section 22(2) above) applies, the Council shall treat the matter as if it were a complaint referred to it under that section.
 - (3) In any other case the Authority shall either—
 - (a) agree with the Council that the Council is to investigate the matter under section 46A of the 1989 Act (as inserted by section 23(2) above); or
 - (b) make such further investigations of the matter, and take such action, as it considers appropriate.
 - (4) Where the Council or the Authority is required by virtue of sub-paragraph (2) or (3) to investigate a matter, it may treat anything done by the Director General of Electricity Supply or a consumers' committee in investigating that matter as if done for the purposes of its own investigation.
 - (5) The Director General of Electricity Supply and the consumers' committees shall give the Authority and the Council such information or assistance as may be necessary to enable them to carry out their functions under this paragraph.