



Scotland Act 2016

2016 CHAPTER 11

PART 4

OTHER LEGISLATIVE COMPETENCE

50 Consumer advocacy and advice

- (1) Part 2 of Schedule 5 to the Scotland Act 1998 (specific reservations) is amended as follows.
- (2) In Section C7 (consumer protection)—
 - (a) for the heading “Exception” substitute “ Exceptions ”;
 - (b) after that heading insert— “ The provision of consumer advocacy and advice by, or by agreement with, a public body or the holder of a public office. ”
- (3) In Section C8 (product standards, safety and liability) after the heading “Exceptions” insert— “ The provision of consumer advocacy and advice by, or by agreement with, a public body or the holder of a public office. ”
- (4) In Section C9 (weights and measures) after the reservations insert—

“Exceptions

The provision of consumer advocacy and advice by, or by agreement with, a public body or the holder of a public office.”
- (5) In Section C11 (posts)—
 - (a) for the heading “Exception” substitute “ Exceptions ”;
 - (b) after that heading insert— “ The provision of consumer advocacy and advice by, or by agreement with, a public body or the holder of a public office, but not any related compulsory levy on postal operators. ”;
 - (c) under the heading “Interpretation”, before “ “postal services”” insert “ “postal operator”, ”.
- (6) In Section D1 (electricity)—
 - (a) for the heading “Exception” substitute “ Exceptions ”;

Changes to legislation: Scotland Act 2016, Section 50 is up to date with all changes known to be in force on or before 15 September 2023. 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) View outstanding changes

- (b) after the exception relating to the Environmental Protection Act 1990 insert—
“ The provision of consumer advocacy and advice by, or by agreement with, a public body or the holder of a public office, but not any related compulsory levy on persons supplying, generating, transmitting or distributing electricity.”
- (7) In Section D2 (oil and gas), at the end of the exceptions insert— “ The provision in relation to gas of consumer advocacy and advice by, or by agreement with, a public body or the holder of a public office, but not any related compulsory levy on persons supplying gas to premises or conveying gas through pipes. ”
- (8) In paragraph 3(2) of Part 3 of Schedule 5 to the Scotland Act 1998 (reserved bodies) at the end insert—
“ (e) the Office of Communications,
 (f) the Gas and Electricity Markets Authority.”
- (9) Section 8 of the Utilities Act 2000 (payments by licence holders relating to new arrangements) is amended as follows.
- (10) In subsection (2)—
 (a) after “payment by the licence holder of sums” insert “ — (a) ”;
 (b) at the end insert “, or
 (b) relating to such amounts as the Secretary of State considers reasonable in respect of the provision, in or as regards Scotland, of consumer advocacy and advice by, or by agreement with, a public body or the holder of a public office, in relation to gas and electricity consumers”.
- (11) Omit—
 (a) subsection (3A)(bb) and (cb);
 (b) in subsection (3A)(f) the words “or Citizens Advice Scotland”;
 (c) in subsection (3B)(a) the words “(bb),” and “,(cb)”;
 (d) in subsection (3C) the words “or Citizens Advice Scotland, or by them jointly,”.
- (12) In subsection (9) after “(3A)” insert “ or to amounts mentioned in subsection (2)(b) ”.
- (13) Section 51 of the Postal Services Act 2011 (consumer protection conditions) is amended as follows.
- (14) At the end of subsection (2)(c) omit “and” and insert—
 “(ca) to make payments relating to such amounts as the Secretary of State considers reasonable in respect of the provision, in or as regards Scotland, of consumer advocacy and advice by, or by agreement with, a public body or the holder of a public office, in relation to users of postal services, and”.
- (15) In subsection (6) after “(2)(c)” insert “, (ca) ”.
- (16) Omit—
 (a) in subsection (2)(c) the words “, Citizens Advice Scotland”;
 (b) in subsection (4) the words “, Citizens Advice Scotland”;
 (c) subsection (4)(d), (e) and (f);

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- (d) in subsection (4A) the words “or Citizens Advice Scotland, or by them jointly,”.

Commencement Information

I1 S. 50 in force at 23.5.2016, see s. 72(7)

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.I. 2017/455, reg. 3 by [S.I. 2019/1438 reg. 2](#)