Water Industry (Scotland) Act 2002

2002 asp 3

PART 1

WATER INDUSTRY COMMISSIONER AND [F1THE REPRESENTATION OF CONSUMERS]

4 Power of the Commissioner to require information

(1) Scottish Water must, on being requested to do so by the [F1Commission] , provide the [F1Commission] with such information held by it as the [F1Commission] may reasonably seek in the exercise of the [F1Commission's] functions.

[F2(2) Subsection (1) does not authorise the Commission to require the disclosure of anything which a person would be entitled to refuse to disclose on grounds of confidentiality in proceedings in the Court of Session.

(3) Where Scottish Water considers that it is entitled to withhold information from the Commission—

(a) because it is not reasonably sought, or

(b) by virtue of subsection (2),

it must intimate that fact to the Commission in writing.]

[F3(4) Scottish Water must comply with any direction given to it by the Commission under section 25(5) of the Consumers, Estate Agents and Redress Act 2007 (enforcement by regulator of notice to provide the National Consumer Council with information).]

Textual Amendments

F1 Words in s. 4(1) substituted (1.7.2005) by Water Services etc. (Scotland) Act 2005 (asp 3), s. 37(2), **sch. 5 para. 7(1)** (with s. 36); S.S.I. 2005/351, art. 2, sch. 2

F2 S. 4(2)(3) substituted for s. 4(2) (1.7.2005 in so far as not already in force) by Water Services etc. (Scotland) Act 2005 (asp 3), **ss. 1(2)**, 37(2) (with s. 36); S.S.I. 2005/351, art. 2, sch. 2

F3 S. 4(4) inserted (15.8.2011) by Public Services Reform (Scotland) Act 2010 (asp 8), s. 134(7)(8), **sch. 2 para. 3**; S.S.I. 2011/278, art. 2(d)

Status:
Point in time view as at 15/08/2011. This version of this provision has been superseded.

Changes to legislation:
There are currently no known outstanding effects for the Water Industry (Scotland) Act 2002, Section 4.