

*These notes relate to the Consumer Scotland Act 2020  
(asp 11) which received Royal Assent on 9 June 2020*

# CONSUMER SCOTLAND ACT 2020

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## EXPLANATORY NOTES

### THE ACT

#### *Overview*

#### **Part 1**

#### **Consumer Scotland** Information-gathering

#### *Section 11 – Enforcement by a designated regulator of [section 9](#) notice*

31. Section 11 applies where a regulated provider (to be specified by the Scottish Ministers in regulations under section 9(6)(b) but potentially covering providers in regulated sectors such as electricity, gas, postal services or water) fails to comply with an information notice served by Consumer Scotland under section 9(1).
32. In such cases, Consumer Scotland may refer the matter to the “relevant designated regulator”, being the designated regulator for the particular regulated provider as specified in regulations under section 9(6)(b), insofar as the failure to comply with the information notice relates to something within the relevant designated regulator’s remit.
33. The relevant designated regulator must consider any representations made by Consumer Scotland or by the regulated provider and must determine whether the provider was entitled to refuse to provide the information requested by Consumer Scotland. If the relevant designated regulator determines that the provider was not entitled to refuse, then it must direct the provider to provide the information.