



# Consumer Scotland Act 2020

## 2020 asp 11

### PART 3 **S**

#### INTERPRETATION AND FINAL PROVISIONS

#### 24 Meaning of “consumer” **S**

(1) In this Act, “consumer” means—

- (a) an individual—
  - (i) who purchases, uses or receives, in Scotland, goods or services which are supplied in the course of a business carried on by the person supplying them, and
  - (ii) who is not purchasing, using or receiving the goods or services wholly or mainly in the course of a business carried on by the individual, or
- (b) a business (including a business carried on by an individual)—
  - (i) which is no larger than a small business, and
  - (ii) which purchases, uses or receives, in Scotland, goods or services which are supplied in the course of a business carried on by the person supplying them.

(2) For the purposes of subsection (1)—

- (a) a consumer includes both an existing consumer and a potential consumer,
- (b) a person who uses services includes, in relation to postal services, an addressee.

#### Commencement Information

**II** [S. 24](#) in force at 1.4.2022 by [S.S.I. 2021/464](#), [reg. 2](#)

#### 25 Interpretation **S**

In this Act—

“business” includes a profession, a not for profit enterprise (within the meaning of section 252(1F) of the Town and Country Planning (Scotland) Act 1997) and the

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*Changes to legislation: There are currently no known outstanding effects for the Consumer Scotland Act 2020, PART 3. (See end of Document for details)*

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activities of any government department, local or public authority or other public body,

“consumer” has the meaning given by section 24,

“consumer matters” means—

- (a) the interests of consumers, and
- (b) any matter connected with those interests,

“goods” includes land or an interest in land,

“vulnerable consumers” means consumers who, by reason of their circumstances or characteristics—

- (a) may have significantly fewer or less favourable options as consumers than a typical consumer, or
- (b) are otherwise at a significantly greater risk of—
  - (i) harm being caused to their interests as consumers, or
  - (ii) harm caused to those interests being more substantial,

than would be the case for a typical consumer.

## 26 Regulations **S**

- (1) Any power conferred by this Act on the Scottish Ministers to make regulations includes the power to make—
  - (a) different provision for different cases or descriptions of case or for different purposes,
  - (b) such incidental, supplementary, consequential, transitional, transitory or saving provision as the Scottish Ministers consider necessary or expedient.
- (2) Regulations under the following sections are subject to the affirmative procedure—
  - (a) section 9(2)(d),
  - (b) section 21(2).
- (3) Regulations under section 20(1) or 27(1)—
  - (a) which add to, replace or omit any part of the text of an Act are subject to the affirmative procedure,
  - (b) otherwise, are subject to the negative procedure.
- (4) Regulations under the following provisions are subject to the negative procedure—
  - (a) section 4(1)(c),
  - (b) section 5(1)(c),
  - (c) section 7(8),
  - (d) section 9(6)(a) and (b),
  - (e) section 13(2),
  - (f) paragraph 2(6) of schedule 1.
- (5) This section does not apply to regulations under section 29(2).

## 27 Ancillary provision **S**

- (1) The Scottish Ministers may by regulations make any incidental, supplementary, consequential, transitional, transitory or saving provision they consider appropriate for

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the purposes of, in connection with or for giving full effect to this Act or any provision made under it.

(2) Regulations under subsection (1) may modify any enactment (including this Act).

## **28 Amendment of public bodies legislation** **S**

Schedule 2 amends other Acts so that their provisions apply to Consumer Scotland.

### **Commencement Information**

**I2** [S. 28](#) in force at 1.4.2022 by [S.S.I. 2021/464](#), [reg. 2](#)

## **29 Commencement** **S**

(1) This section and sections 25, 26, 27 and 30 come into force on the day after Royal Assent.

(2) The other provisions of this Act come into force on such day as the Scottish Ministers may by regulations appoint.

(3) Regulations under subsection (2) may—

- (a) make different provision for different purposes,
- (b) include transitional, transitory or saving provision.

## **30 Short title** **S**

The short title of this Act is the Consumer Scotland Act 2020.

**Changes to legislation:**

There are currently no known outstanding effects for the Consumer Scotland Act 2020, PART 3.