



Consumer Scotland Act 2020

2020 asp 11

PART 1

CONSUMER SCOTLAND

Information-gathering

11 Enforcement by a designated regulator of a section 9 notice

- (1) Where a regulated provider fails to comply with a notice under section 9(1), Consumer Scotland may refer the failure to the relevant designated regulator.
- (2) Subsection (1) applies only to the extent that the notice relates to information which is held or may be obtained by the regulated provider in the person's capacity as a regulated provider.
- (3) Where a failure is referred under subsection (1), the relevant designated regulator must—
 - (a) consider any representations made by Consumer Scotland or the regulated provider, and
 - (b) determine whether the regulated provider is entitled to refuse to comply with the notice by virtue of provision made under section 13 (exemptions from requirement to provide information).
- (4) If the relevant designated regulator determines that the regulated provider is not entitled to refuse to comply with the notice, the relevant designated regulator must direct the regulated provider to comply with it.
- (5) The relevant designated regulator must give Consumer Scotland and the regulated provider notice of—
 - (a) a determination under subsection (3)(b) and the reasons for it, and
 - (b) any direction under subsection (4).
- (6) For the purposes of this section, “relevant designated regulator”, in relation to a regulated provider, means the designated regulator specified in relation to the regulated provider in regulations under section 9(6)(b).

Changes to legislation: There are currently no known outstanding effects for the Consumer Scotland Act 2020, Section 11. (See end of Document for details)

Commencement Information

II [S. 11](#) in force at 1.4.2022 by [S.S.I. 2021/464](#), **reg. 2**

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