



Water Services etc. (Scotland) Act 2005

2005 asp 3

PART 1

WATER INDUSTRY COMMISSION AND CUSTOMER PANELS

1 Water Industry Commission for Scotland

- (1) For section 1 (Water Industry Commissioner for Scotland) of the 2002 Act there is substituted—

“1 Water Industry Commission for Scotland

- (1) There is established a body to be known as the Water Industry Commission for Scotland (referred to in this Act as “the Commission”).
- (2) The Commission has the general function of promoting the interests of persons (taken as a whole) whose premises—
- (a) are connected to the public water supply system or the public sewerage system (within the meaning of Part 2 of the Water Services etc. (Scotland) Act 2005 (asp 3)) or both, or
 - (b) might reasonably become connected to either or both of those systems,
- relating to the provision to them of water and sewerage services.
- (3) The Scottish Ministers may, after consulting the Commission, give the Commission directions of a general or specific character as to the financial management or administration of the Commission; and the Commission must comply with any such directions.
- (4) Schedule A1 makes further provision about the Commission.”.
- (2) In section 4 (power of the Commissioner to require information) of that Act, for subsection (2) there is substituted—
- “(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.

Changes to legislation: There are currently no known outstanding effects for the Water Services etc. (Scotland) Act 2005, Part 1. (See end of Document for details)

(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.”.

(3) In section 5 (annual reports by the Commissioner etc.) of that Act, at the end there is added—

“(4) The Scottish Ministers must lay before the Parliament a copy of each report submitted to them under subsection (1)(a).”.

(4) Schedule 1 inserts schedule A1 into that Act.

Commencement Information

- I1** S. 1 in force at 1.7.2005 in so far as not already in force by [S.S.I. 2005/351, art. 2, Sch. 2](#)
- I2** S. 1(1) in force at 20.6.2005 for specified purposes by [S.S.I. 2005/351, art. 2, Sch. 1](#)
- I3** S. 1(4) in force at 20.6.2005 for specified purposes by [S.S.I. 2005/351, art. 2, Sch. 1](#)

2 Dissolution of office of Commissioner

The office of Water Industry Commissioner for Scotland is dissolved on such date as the Scottish Ministers may by order appoint.

Commencement Information

- I4** S. 2 in force at 1.7.2005 by [S.S.I. 2005/351, art. 2, Sch. 2](#)

^{F1}3 Customer Panels

.....

Textual Amendments

- F1** S. 3 repealed (15.8.2011) by [Public Services Reform \(Scotland\) Act 2010 \(asp 8\), s. 134\(7\)\(8\), Sch. 2 para. 21](#); [S.S.I. 2011/278, art. 2\(d\)](#)

Commencement Information

- I5** S. 3 in force at 1.4.2006 by [S.S.I. 2006/167, art. 2, Sch. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the Water Services etc. (Scotland) Act 2005, Part 1.