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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 278 (C. 24)**

**WATER INDUSTRY**

The Public Services Reform (Scotland) Act  
2010 (Commencement No. 5) Order 2011

<i>Made</i>	- - - -	<i>21st June 2011</i>
<i>Laid before the Scottish Parliament</i>	- - - -	<i>23rd June 2011</i>
<i>Coming into force</i>	- -	<i>15th August 2011</i>

The Scottish Ministers make the following Order in exercise of the powers conferred by section 134(7) of the Public Services Reform (Scotland) Act 2010<sup>(1)</sup>.

**Citation and commencement**

**1.** This Order may be cited as the Public Services Reform (Scotland) Act 2010 (Commencement No. 5) Order 2011 and comes into force on 15th August 2011.

**Appointed day**

**2.** 15th August 2011 is the day appointed for the following provisions of the Public Services Reform (Scotland) Act 2010 to come into force:—

- (a) section 3 (transfer to certain bodies of functions of Waterwatch Scotland);
- (b) section 130 (consultation by water and sewerage services providers);
- (c) section 131 (complaints about water services and sewerage services providers);
- (d) schedule 2 (transfer of Waterwatch Scotland functions: modifications of enactments); and
- (e) schedule 3 (dissolution of Waterwatch Scotland: arrangements for staff, property, etc.).

St Andrew's House, Edinburgh  
21st June 2011

*ALEX NEIL*  
A member of the Scottish Executive

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings the following provisions of the Public Services Reform (Scotland) Act 2010 (“the Act”) into force on 15th August 2011:—

- (a) section 3, which dissolves the Water Customer Consultation Panels and abolishes the position of their Convenor (collectively known as Waterwatch Scotland). The representative functions of Waterwatch are transferred to the National Consumer Council and complaints relating to Scottish Water are added to the remit of the Scottish Public Services Ombudsman;
- (b) section 130, which amends the Water Industry (Scotland) Act 2002 ([asp 3](#)) to provide for the consultation of licensed water and/or sewerage service providers on certain matters;
- (c) section 131, which inserts a new section into the Water Service etc. (Scotland) Act 2005 ([asp 3](#)) to make provision for the Scottish Public Services Ombudsman to investigate complaints against the licensed provider upon the request of a licensed provider;
- (d) schedule 2, which modifies enactments and makes repeals in consequence of the transfer of the functions from Waterwatch Scotland to the Scottish Public Services Ombudsman and the National Consumer Council; and
- (e) schedule 3, which makes provision for the transfer of staff, property, liabilities and undetermined complaints in consequence of the dissolution of Waterwatch Scotland.

Sections 103, 109, 132, 133 and 134 of the Act came into force on Royal Assent (28th April 2010).

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the Act were brought into force by commencement orders made before the date of this Order:—

<i>Provisions</i>	<i>Commencement</i>	<i>S.S.I. No.</i>
Sections 1 to 12 except section 3	1st August 2010	<a href="#">2010/221</a>
Section 13 (partially) for the purposes of the amendments and repeals commenced in Schedule 1 to S.S.I. <a href="#">2011/30</a>	31st January 2011	<a href="#">2011/30</a>
Section 13 (partially) for the purposes of the amendment in Schedule 2 to S.S.I. <a href="#">2011/30</a>	1st April 2011	<a href="#">2011/30</a>
Sections 14 to 30	1st August 2010	<a href="#">2010/221</a>
Sections 31 to 35	1st October 2010	<a href="#">2010/321</a>
Sections 36 to 43	1st July 2010	<a href="#">2010/221</a>
Section 44 (partially) for the purpose of making appointments	1st August 2010	<a href="#">2010/221</a>

<i>Date of Commencement</i>	<i>S.S.I. No.</i>	
Sections 44 to 102 (partially) for the purpose of making subordinate legislation	1st October 2010	<a href="#">2010/321</a>
Sections 104 to 106 (partially) for the purpose of making subordinate legislation	1st October 2010	<a href="#">2010/321</a>
Section 44 to 106 insofar as not already in force	1st April 2011	<a href="#">2011/122</a>
Section 107	1st August 2010	<a href="#">2010/221</a>
Section 108 (partially) for the purpose of making appointments	1st August 2010	<a href="#">2010/221</a>
Section 110(1) (partially) for the purpose of making appointments	1st August 2010	<a href="#">2010/221</a>
Sections 108 to 110 (partially) for the purpose of making subordinate legislation	1st October 2010	<a href="#">2010/321</a>
Section 108 to 110 insofar as not already in force	1st April 2011	<a href="#">2011/122</a>
Section 111 (partially) for the purpose of making appointments	1st August 2010	<a href="#">2010/221</a>
Section 111 (partially) for the purpose of making subordinate legislation	1st October 2010	<a href="#">2010/321</a>
Section 111 insofar as not already in force	1st April 2011	<a href="#">2011/122</a>
Sections 112 to 114	1st October 2010	<a href="#">2010/321</a>
Sections 115 to 117 (partially) for the purpose of making subordinate legislation	1st October 2010	<a href="#">2010/321</a>
Sections 115 to 117 insofar as not already in force	1st April 2011	<a href="#">2011/122</a>
Section 118	1st October 2010	<a href="#">2010/321</a>
Section 119	1st August 2010	<a href="#">2010/221</a>
Sections 120 to 128 except section 125	1st August 2010	<a href="#">2010/221</a>
Section 125 (partially) for the purpose of making subordinate legislation	1st October 2010	<a href="#">2010/321</a>
Section 129	1st August 2010	<a href="#">2010/221</a>
Schedule 1	1st August 2010	<a href="#">2010/221</a>
Paragraph 1 of Schedule 4 (partially), for the purposes of the amendments in Schedule 1 to S.S.I. <a href="#">2011/30</a>	31st January 2011	<a href="#">2011/30</a>
Paragraph 9 of Schedule 4 (partially) for the purposes of amendments in Schedule 1 to S.S.I. <a href="#">2011/30</a>	31st January 2011	<a href="#">2011/30</a>
Paragraphs 2, 3, 8, 10, 11, 12, 13, 15 and 20 to 33 of Schedule 4	31st January 2011	<a href="#">2011/30</a>

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<i>Date of Commencement</i>	<i>S.S.I. No.</i>	
Paragraphs 4 to 7, 14 and 16 to 19 of Schedule 4	1st April 2011	2011/30
Schedules 5 to 7	1st August 2010	2010/221
Schedule 8	1st October 2010	2010/321
Schedules 9 and 10	1st July 2010	2010/221
Schedule 11 (partially) for the purpose of making appointments	1st August 2010	2010/221
Schedule 11 (partially) for the purpose of making subordinate legislation	1st October 2010	2010/321
Schedule 11 insofar as not already in force	1st April 2011	2011/122
Schedule 12 (partially) for the purpose of making subordinate legislation	1st October 2010	2010/321
Schedule 12 insofar as not already in force	1st April 2011	2011/122
Schedule 13	1st October 2010	2010/321
Schedule 14 (partially) for the purpose of making subordinate legislation	1st October 2010	2010/321
Schedule 14, with the exception of paragraph 35(a), insofar as not already in force	1st April 2011	2011/122
Schedule 15	1st August 2010	2010/221
Schedule 16 (partially) for the purpose of making appointments	1st August 2010	2010/221
Schedule 16 (partially) for the purpose of making subordinate legislation	1st October 2010	2010/321
Schedule 16 insofar as not already in force	1st April 2011	2011/122
Schedule 17 (partially) for the purpose of making subordinate legislation	1st October 2010	2010/321
Schedule 17 insofar as not already in force	1st April 2011	2011/122
Schedule 18 (partially) for the purpose of making appointments	1st August 2010	2010/221
Schedule 18 (partially) for the purpose of making subordinate legislation	1st October 2010	2010/321
Schedule 18 insofar as not already in force	1st April 2011	2011/122
Schedules 19 and 20	31st October 2010	2010/321