

SCHEDULE 1

Transfer of certain functions of the National Consumer Council,
transfer of certain consumer advice scheme functions of the OFT and
consequential, supplementary, incidental and transitional provision

PART 5

Transitional provisions

28.—(1) Nothing in this Order affects the validity of anything done (or having effect as if done) by or in relation to the National Consumer Council before the coming into force of articles 2 and 3.

(2) Anything done (or having effect as if done) by or in relation to the National Consumer Council, so far as it relates to any of the functions transferred by article 3, has effect, so far as is necessary for continuing its effect after the coming into force of articles 2 and 3, as if done by or in relation to the transferee or transferees.

(3) Anything (including legal proceedings) which at the coming into force of articles 2 and 3 is in the process of being done by or in relation to the National Consumer Council, so far as it relates to any function transferred by article 3, may be continued by or in relation to the transferee or transferees to which that function is transferred

(4) So far as is necessary or appropriate for the purposes of or in consequence of the transfer effected by article 3, after the coming into force of articles 2 and 3, a reference to the National Consumer Council in an instrument or other document is to be treated as a reference to the transferee or the transferees to which that function is transferred.

(5) Money paid by a person to the Gas and Electricity Markets Authority or the Office of Communications because of the obligation to make payments with respect to the expenses of the National Consumer Council under—

- (a) a condition imposed by the Gas and Electricity Markets Authority⁽¹⁾ under section 8 of the Utilities Act 2000, or
- (b) a condition imposed by the Office of Communications⁽²⁾ under section 51 of the Postal Services Act 2011,

is to be treated by the Gas and Electricity Markets Authority or, as the case may be, the Office of Communications, as money paid by that person because of an obligation to make payments under such a condition with respect to those expenses of one or more of the transferees, that relate to a function transferred by article 3.

(6) In this article “transferee” means—

- (a) Citizens Advice,
- (b) Citizens Advice Scotland, or
- (c) the GCCNI.

(1) The Gas and Electricity Markets Authority was established by section 1 of the Utilities Act 2000 (c. 27).

(2) The Office of Communications was established by section 1 of the Communications Act 2003 (c. 21).