



Consumers, Estate Agents and Redress Act 2007

2007 CHAPTER 17

PART 1

[^{F1}THE CONSUMER ADVOCACY BODIES]

Abolition of consumer bodies

30 Abolition of “Energywatch” and “Postwatch”

- (1) The Gas and Electricity Consumer Council is abolished.
- (2) The Consumer Council for Postal Services is abolished.
- (3) Subject to any modifications made by this Act—
- (a) the functions of the Gas and Electricity Consumer Council under the Gas Act 1986 (c. 44), the Electricity Act 1989 (c. 29) and the Utilities Act 2000 (c. 27), and
 - (b) the functions of the Consumer Council for Postal Services under the Postal Services Act 2000 (c. 26),
- are transferred by this section to the Council.
- (4) Accordingly—
- (a) in section 66 of the Gas Act 1986 (general interpretation), for the definition of “the Council” substitute—
“ “ the Council ” means the National Consumer Council; ”,
 - (b) in section 111(1) of the Electricity Act 1989 (general interpretation), for the definition of “the Council” substitute—
“ “ the Council ” means the National Consumer Council; ”,
 - (c) in section 125(1) of the Postal Services Act 2000 (interpretation), after the definition of “correspondent” insert—

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- “ the Council ” means the National Consumer Council, ”, and
(d) in section 106(1) of the Utilities Act 2000 (interpretation), for the definition of “Council” substitute—

“ “ Council ” means the National Consumer Council; ”.

- (5) Schedule 3 contains transitional provisions.

Commencement Information

- I1** S. 30(1)-(3) (4)(a) (4)(b) (5) in force at 1.10.2008 by [S.I. 2008/2550](#) , [art. 2](#) , [Sch.](#)
I2 S. 30(4)(c) in force at 21.12.2007 for specified purposes by [S.I. 2007/3546](#) , [art. 3](#) , [Sch.](#)
I3 S. 30(4)(c)(d) in force at 1.10.2008 in so far as not already in force by [S.I. 2008/2550](#) , [art. 2](#) , [Sch.](#)
I4 S. 30(4)(d) in force at 21.12.2007 for specified purposes by [S.I. 2007/3546](#) , [art. 3](#) , [Sch.](#)

31 Designation of the Consumer Council for Water for abolition

- (1) The Secretary of State may by order designate the Consumer Council for Water for abolition.
- (2) An order under this section must specify the earliest date on which a transfer order or an abolition order under section 32 may take effect in respect of the Consumer Council for Water.
- (3) Before making an order under this section the Secretary of State must consult—
- the Consumer Council for Water,
 - [^{F1}Citizens Advice] , and
 - such other persons as the Secretary of State considers appropriate.
- (4) An order under this section may only be made with the consent of the Welsh Ministers.

Textual Amendments

- F1** Words in s. 31(3)(b) substituted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014](#) (S.I. 2014/631), [art. 1\(3\)](#), [Sch. 1 para. 12\(33\)](#) (with [Sch. 1 para. 28](#), [Sch. 2 paras. 13-15](#))

Commencement Information

- I5** S. 31 in force at 1.10.2008 by [S.I. 2008/2550](#) , [art. 2](#) , [Sch.](#)

32 Transfer orders and abolition orders

- (1) Where the Consumer Council for Water is designated for abolition under section 31, the Secretary of State may make in respect of it—
- one or more transfer orders;
 - an abolition order.
- (2) A transfer order is an order which provides for the transfer to [^{F2}Citizens Advice] of any function of the Consumer Council for Water.

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- (3) An abolition order is an order which provides for the abolition of the Consumer Council for Water.
- (4) No provision of an order under this section may take effect before the date specified under section 31(2).
- [^{F3}(4A) A transfer order may be made only with the consent of Citizens Advice.]
- (5) A transfer order or abolition order may be made only with the consent of the Welsh Ministers.

Textual Amendments

- F2** Words in s. 32(2) substituted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), **Sch. 1 para. 12(34)(a)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F3** S. 32(4A) inserted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), **Sch. 1 para. 12(34)(b)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)

Commencement Information

- I6** S. 32 in force at 1.10.2008 by [S.I. 2008/2550](#), art. 2, **Sch.**

33 Supplementary provision about transfer and abolition orders

- (1) This section applies where the Consumer Council for Water has been designated for abolition under section 31.
- (2) In this section “ payment conditions ” means—
 - (a) in the case of an appointment under Chapter 1 of Part 2 of the Water Industry Act 1991 (c. 56), conditions included in the appointment by virtue of section 11(1)(c) of that Act, and
 - (b) in the case of a water supply licence under Chapter 1A of that Part, conditions included in the licence by virtue of section 17G(1)(b) of that Act.
- (3) The payment conditions of such an appointment or licence may (without prejudice to the generality of sections 11(1)(c) and 17G(1)(b) of that Act) require the payment by the company holding the appointment or licence of sums relating to any of the expenses mentioned in subsection (4).
- (4) Those expenses are—
 - (a) the appropriate proportion of the expenses of [^{F4}Citizens Advice] (other than those expenses within paragraph (b) and [^{F5} any expenses which relate to taking on functions transferred from the Consumer Council for Water]);
 - (b) any expenses of [^{F6}Citizens Advice] , the Secretary of State or the Consumer Council for Water which relate to a transfer scheme made in respect of the Consumer Council for Water under section 35(2)(a) or (7);
 - (c) the expenses of the Secretary of State which relate to the abolition of the Consumer Council for Water;
 - (d) the expenses of [^{F7}Citizens Advice] expanding [^{F8} a qualifying consumer advice scheme] to enable it to cater for water consumers;

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- (e) the appropriate proportion of the expenses of [F⁹Citizens Advice] on, or in connection with, the support of [F¹⁰ a qualifying consumer advice scheme] .
- (5) The “appropriate proportion” of any relevant expenses means such proportion of the expenses as the Secretary of State considers is reasonable having regard to—
- (a) in the case of expenses within subsection (4)(a), the functions exercisable by [F¹¹Citizens Advice] in relation to water consumers;
 - (b) in the case of expenses within subsection (4)(e), the functions under [F¹²a qualifying consumer advice scheme] which are exercisable in relation to water consumers.
- (6) The Authority may, in accordance with this section, modify any payment conditions where it considers it necessary or expedient to do so in consequence of, or of preparations for—
- (a) the abolition of the Consumer Council for Water, or
 - (b) a transfer order or abolition order under section 32.
- (7) The Authority may, in accordance with this section, make such incidental or consequential modifications of the other conditions which are included in—
- (a) an appointment under Chapter 1 of Part 2 of the Water Industry Act 1991 (c. 56), or
 - (b) a water supply licence under Chapter 1A of that Part,
- as it considers necessary or expedient in consequence of, or of preparations for, an event mentioned in subsection (6)(a) or (b).
- (8) Before modifying under subsection (6) or (7) the conditions included in an appointment or licence, the Authority must consult the company holding the appointment or licence.
- (9) The Secretary of State may, after consulting the Welsh Ministers, give directions to the Authority for the purpose of securing that sums relating to any of the expenses mentioned in subsection (4) are included in the sums payable by virtue of payment conditions; and the Authority must comply with any such direction.
- [F¹³(9A) For the purposes of this section a qualifying public consumer advice scheme is a scheme that is supported by Citizens Advice or Citizens Advice Scotland , or by them jointly, in a manner that the Office of Fair Trading is prohibited from supporting by section 8A of the Enterprise Act 2002.]
- (10) In this section—
- “ the Authority ” means the Water Services Regulation Authority;
- F¹⁴
...
- “ water consumers ” means consumers in relation to services provided by a water undertaker, a sewerage undertaker [F¹⁵, a water supply licensee or a sewerage licensee] , in [F¹⁶the undertaker's or licensee's capacity] as such.

Textual Amendments

- F4** Words in s. 33(4)(a) substituted (1.4.2014) by [The Public Bodies \(Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc\) Order 2014 \(S.I. 2014/631\)](#), art. 1(3), **Sch. 1 para. 12(35)(a)(i)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)

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- F5** Words in s. 33(4)(a) substituted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 12(35)(a)(ii)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F6** Words in s. 33(4)(b) substituted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 12(35)(a)(iii)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F7** Words in s. 33(4)(d) inserted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 12(35)(a)(iv)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F8** Words in s. 33(4)(d) substituted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 12(35)(a)(v)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F9** Words in s. 33(4)(e) substituted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 12(35)(a)(vi)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F10** Words in s. 33(4)(e) substituted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 12(35)(a)(vii)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F11** Words in s. 33(5)(a) substituted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 12(35)(b)(i)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F12** Words in s. 33(5)(b) substituted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 12(35)(b)(ii)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F13** S. 33(9A) inserted (1.4.2014) by The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 12(35)(c)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F14** Words in s. 33(10) omitted (1.4.2014) by virtue of The Public Bodies (Abolition of the National Consumer Council and Transfer of the Office of Fair Trading's Functions in relation to Estate Agents etc) Order 2014 (S.I. 2014/631), art. 1(3), **Sch. 1 para. 12(35)(d)** (with Sch. 1 para. 28, Sch. 2 paras. 13-15)
- F15** Words in s. 33(10) substituted (1.4.2017) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 139(a)**; S.I. 2017/462, art. 3(k)(xxv)
- F16** Words in s. 33(10) substituted (1.4.2017) by Water Act 2014 (c. 21), s. 94(3), **Sch. 7 para. 139(b)**; S.I. 2017/462, art. 3(k)(xxv)

Commencement Information

- I7** S. 33 in force at 1.10.2008 by S.I. 2008/2550 , art. 2 , **Sch.**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 42(4)(c) words substituted by [2023 c. 52 Sch. 17 para. 16\(a\)](#)
- s. 42(4)(c) words substituted by [2023 c. 52 Sch. 17 para. 16\(b\)](#)