

SCHEDULE 1

(introduced by sections 1 and 2)

WATER INDUSTRY COMMISSIONER AND CUSTOMER PANELS: FURTHER PROVISION

PART 1

THE COMMISSIONER

Appointment

- 1 (1) The Commissioner is to be appointed by the Scottish Ministers on such terms and conditions as they may determine.
- (2) Those terms and conditions may include arrangements for the payment of pensions, allowances or gratuities to, or in respect of, persons who have ceased to hold office as Commissioner.

Staff

- 2 (1) The Commissioner may, with the consent of the Scottish Ministers as to numbers, terms and conditions, appoint staff.
- (2) The Commissioner may make arrangements for the payment of pensions, gratuities or allowances to, or in respect of, any person who has ceased to be a member of staff of the Commissioner and may in particular—
 - (a) make contributions or payments towards provision for such pensions, gratuities or allowances,
 - (b) establish and administer one or more pension schemes.
- (3) Arrangements under sub-paragraph (2) are subject to the approval of the Scottish Ministers.

Status

- 3 The Commissioner and the Commissioner's staff are not to be regarded as servants or agents of the Crown and do not have any status, immunity or privilege of the Crown.

Accounts

- 4 The Commissioner must—
 - (a) prepare, for each financial year, in accordance with directions given by the Scottish Ministers, an account of the Commissioner's income and expenditure, and
 - (b) send the account, by such time as the Scottish Ministers may direct, to the Auditor General for Scotland for auditing.

PART 2

CUSTOMER PANELS

Convener

- 5 (1) The Scottish Ministers are to appoint, on such terms and conditions as they may determine, an individual to be known as the Convener of the Water Customer Consultation Panels (referred to in this schedule as the “Convener”).
- (2) The Convener is not to be regarded as a servant or agent of the Crown and does not have any status, immunity or privilege of the Crown.

Membership

- 6 (1) The Convener is to be a member of each Customer Panel.
- (2) The other members of a Customer Panel are to be appointed by the Convener in accordance with procedures, and on terms and conditions, approved by the Scottish Ministers.
- (3) The Convener must, in accordance with those procedures, appoint one of the other members to be deputy convener of the Panel.
- (4) Before appointing the other members under sub-paragraph (2), the Convener must consult the Commissioner and such bodies representing consumer interests as the Scottish Ministers may direct.

Remuneration and allowances

- 7 The Commissioner must pay to the Convener and to the deputy convener and ordinary members of a Customer Panel—
- (a) such remuneration, and
- (b) such allowances (if any) in respect of expenses properly incurred in the performance of their duties,
- as the Scottish Ministers may determine.

Administrative support

- 8 The Commissioner is to provide the Convener and each Customer Panel, or ensure that they are provided, with the property, staff and services required for their purposes in accordance with arrangements approved by the Scottish Ministers.

Proceedings

- 9 (1) The proceedings of a Customer Panel must be conducted in accordance with arrangements—
- (a) determined by the Convener after consulting the other members of the Panel, and
- (b) approved by the Scottish Ministers.
- (2) The validity of any proceedings of a Customer Panel is not affected by any vacancy among its members or by any defect in the appointment of a member.