



# 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.

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*Status: This is the original version (as it was originally enacted).*

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- (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.