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**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Public Services Reform (Scotland) Act 2010. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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### SCHEDULE 3

#### DISSOLUTION OF WATERWATCH SCOTLAND: ARRANGEMENTS FOR STAFF, PROPERTY ETC.

##### *Transfer of undetermined complaints*

- 8 (1) This paragraph applies in relation to any complaint (“an undetermined complaint”)—
- (a) made or referred to the Convener under section 6A of the Water Industry (Scotland) Act 2002,
  - (b) which has not been determined by the Convener before the date on which section 3(1) comes into force, and
  - (c) which cannot otherwise be determined (but for sub-paragraph (2)) by the Scottish Public Services Ombudsman (“the Ombudsman”) under the Scottish Public Services Ombudsman Act 2002.
- (2) For the purpose of enabling an undetermined complaint to continue to be dealt with, section 6A of the Water Industry (Scotland) Act 2002 continues in force despite its repeal and has effect as it had effect immediately before its repeal but—
- (a) as if any reference in it to the Convener were a reference to the Ombudsman, and
  - (b) subject to such further modifications (if any) as may be made by virtue of section 132.
- (3) For the purposes of this paragraph a complaint is determined by the Convener if the Convener—
- (a) has decided to conduct an investigation in relation to the complaint and that investigation is concluded, or
  - (b) has decided not to investigate in relation to the complaint.
- (4) Nothing in this paragraph affects the validity of anything done (or having effect as if done) by or in relation to an undetermined complaint by the Convener under the Water Industry (Scotland) Act 2002 before the repeal of section 6A of that Act by this Act.
- (5) Anything (including legal proceedings) which, at that time, is in the process of being done by or in relation to the Convener may, so far as it relates to an undetermined complaint, be continued by or in relation to the Ombudsman.
- (6) Anything done (or having effect as if done) by or in relation to the Convener in relation to an undetermined complaint has effect as if done by or in relation to the Ombudsman in so far as that is required for continuing its effect on or after that time.

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#### **Commencement Information**

**II** Sch. 3 para. 8 in force at 15.8.2011 by [S.S.I. 2011/278](#), **art. 2(e)**

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

- Blanket amendment words substituted by [S.I. 2011/1043 art. 34](#)

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

- Pt. 5 Ch. 3A amendment to earlier affecting provision 2019 asp 6, s. 12(2) by [S.S.I. 2023/127 reg. 3\(4\)](#)
- Pt. 5 Ch. 3A inserted by [2019 asp 6 s. 12\(2\)](#)