

SCHEDULE

TRANSITIONAL PROVISIONS AND SAVINGS

Effect after 1st October 2005 of customer service committee complaints

3.—(1) Where, immediately before it was abolished, a customer service committee had a subsisting duty with respect to a complaint under section 29 of the WIA (duties of customer service committees) then, unless the complainant objects, that complaint shall be treated as referred to the Council by or on behalf of the complainant under section 29 of the WIA (consumer complaints) as substituted by section 46(1) of the Act.

(2) Where, before it was abolished, a customer service committee had referred a complaint to the Director under section 29 of the WIA then, unless the complainant objects, the Director shall—

- (a) treat that complaint as if it had been referred to him by the Council under section 29 of the WIA as substituted by section 46(1) of the Act;
- (b) continue to consider that complaint; and
- (c) take or continue to take such steps in consequence of his consideration of that complaint as he considers appropriate.

(3) Where, immediately before 1st October 2005, the Director had a subsisting duty with respect to a complaint made under subsection (3)(c) of section 30 of the WIA (duties of the Director with respect to complaints) then, unless the complainant objects, the Director shall—

- (a) continue to consider that complaint; and
- (b) take or continue to take such steps in consequence of his consideration of that complaint (including any step which could have been taken by a customer service committee had this Order not been made) as he considers appropriate.

(4) Where a complainant has made an objection under this paragraph, the duty on the Council or the Director under sub-paragraph (1), (2) or (3) with respect to his complaint shall cease to apply.

(5) For the purposes of this paragraph, from 1st April 2006, any reference to the Director shall have effect as if it were a reference to the Authority and “he”, “him” and cognate expressions, in relation to the Director, are to have effect as “it” (or the appropriate equivalent) in relation to the Authority.