

SCHEDULE 1

Transfer of certain functions of the National Consumer Council,
transfer of certain consumer advice scheme functions of the OFT and
consequential, supplementary, incidental and transitional provision

PART 1

Amendments to Acts

Postal Services Act 2011

13.—(1) The Postal Services Act 2011⁽¹⁾ is amended as follows.

(2) In section 51 (consumer protection conditions)⁽²⁾—

(a) in subsection (2)(c)—

(i) omit the “and” following paragraph (b);

(ii) in paragraph (c) omit “the National Consumer Council,”;

(iii) in paragraph (c) for “or Citizens Advice Scotland” substitute “, Citizens Advice Scotland or the General Consumer Council for Northern Ireland”;

(iv) after paragraph (c) insert—

“and

(d) to make payments relating to qualifying consumer expenses of the Secretary of State.”;

(b) for subsection (4) substitute—

“(4) The reference in subsection (2)(c) to qualifying consumer expenses of Citizens Advice, Citizens Advice Scotland or the General Consumer Council for Northern Ireland is to—

(a) such proportion of the expenses of Citizens Advice as the Secretary of State considers reasonable having regard to the functions exercisable by it in relation to users of postal services (including expenses which relate to taking on functions transferred from the National Consumer Council, but not including expenses within paragraph (b)),

(b) such proportion of the expenses of Citizens Advice relating to a transfer scheme made in respect of the National Consumer Council under section 23 of the Public Bodies Act 2011 as the Secretary of State considers reasonable having regard to the functions exercisable by Citizens Advice in relation to users of postal services,

(c) such proportion of the expenses of Citizens Advice incurred in connection with its support of any qualifying public consumer advice scheme as the Secretary of State considers reasonable having regard to the functions under the scheme exercisable in relation to users of postal services,

(d) such proportion of the expenses of Citizens Advice Scotland as the Secretary of State considers reasonable having regard to the functions exercisable by it in relation to users of postal services (including expenses which relate to taking

(1) 2011 c. 5.

(2) Section 51(2), (4) and (4)(b) was amended, and sections 51(4A) and (8) inserted, by article 6 of S.I. 2013/783.

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- on functions transferred from the National Consumer Council, but not including expenses within paragraph (e)),
- (e) such proportion of the expenses of Citizens Advice Scotland relating to a transfer scheme made in respect of the National Consumer Council under section 23 of the Public Bodies Act 2011 as the Secretary of State considers reasonable having regard to the functions exercisable by Citizens Advice Scotland in relation to users of postal services,
 - (f) such proportion of the expenses of Citizens Advice Scotland incurred in connection with its support of any qualifying public consumer advice scheme as the Secretary of State considers reasonable having regard to the functions under the scheme exercisable in relation to users of postal services, and
 - (g) such proportion of the expenses of the General Consumer Council for Northern Ireland as the Secretary of State considers reasonable having regard to the functions exercisable by it in relation to users of postal services (including expenses which relate to taking on functions transferred from the National Consumer Council).”;
- (c) after subsection (4) insert—
- “(4ZA) The reference in subsection (2)(d) to qualifying consumer expenses of the Secretary of State is to—
- (a) such proportion of the expenses of the Secretary of State relating to the abolition of the National Consumer Council as the Secretary of State considers reasonable having regard to the functions exercised by the National Consumer Council in relation to users of postal services,
 - (b) such proportion of the expenses of the Secretary of State relating to the conferring of functions on Citizens Advice, Citizens Advice Scotland and the General Consumer Council for Northern Ireland 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/...) as the Secretary of State considers reasonable having regard to the functions exercisable by any of those bodies in relation to users of postal services, and
 - (c) such proportion of the expenses of the Secretary of State relating to a transfer scheme made in respect of the National Consumer Council under section 23 of the Public Bodies Act 2011 as the Secretary of State considers reasonable having regard to the functions exercised by the National Consumer Council in relation to users of postal services.”;
- (d) in subsection (6) after “subsection (2)(c)” insert “or (d)”;
- (e) in subsection (8) omit the definitions of—
- (i) “Citizens Advice”;
 - (ii) “Citizens Advice Scotland”.
- (3) In section 56 (general restriction on disclosure of information), in subsection (6)(b) for “the National Consumer Council” substitute “Citizens Advice etc”.
- (4) In section 57 (decisions by OFCOM to impose regulatory conditions, penalties etc), in subsection (1)(e) for “National Consumer Council” substitute “Citizens Advice etc”.
- (5) In section 61 (duties in relation to social and environmental matters)—
- (a) in subsection (3) for paragraph (b) (and the “and” following it) substitute—
 - “(b) Citizens Advice,
 - (ba) Citizens Advice Scotland,

- (bb) if the guidance relates to Northern Ireland, the General Consumer Council for Northern Ireland, and”;
- (b) after subsection (3) insert—
 - “(3A) The Secretary of State is not required to consult Citizens Advice or Citizens Advice Scotland if the draft guidance relates only to Northern Ireland.”.
- (6) In section 65 (interpretation of Part 3 etc), in subsection (1) at the appropriate place insert—
 - ““Citizens Advice” means the National Association of Citizens Advice Bureaux;”;
 - ““Citizens Advice Scotland” means the Scottish Association of Citizens Advice Bureaux;”.
- (7) In Schedule 5 (approval of redress schemes), in paragraph 1—
 - (a) in sub-paragraph (6)(e), omit the words from “(and, in” to “mentioned there)”;
 - (b) omit sub-paragraph (7)(c);
 - (c) for sub-paragraph (7)(e) and (f) substitute—
 - “(e) Citizens Advice,
 - (f) Citizens Advice Scotland, and
 - (g) the General Consumer Council for Northern Ireland.”
- (8) In Schedule 7 (enforcement of regulatory requirements) in paragraph 1(2)(b)(ii) for “National Consumer Council” substitute “Citizens Advice etc”.