

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

Gas Act 1986

4.—(1) The Gas Act 1986(1) is amended as follows.

(2) In section 4AB (guidance on social and environmental matters)(2), in subsection (3) for paragraph (b) substitute—

- “(b) Citizens Advice;
- (ba) Citizens Advice Scotland;”.

(3) In section 6A (exemptions from prohibition)(3), in subsection (1B)(a) for “and the Council” substitute “, Citizens Advice and Citizens Advice Scotland”.

(4) In section 8 (standard conditions of licences)(4), in subsection (5)(b) for “and to the Council” substitute “, to Citizens Advice and to Citizens Advice Scotland”.

(5) In section 23 (modifications of conditions of licences)(5), in subsection (4)(b)—

- (a) omit the “and” following sub-paragraph (iii);
- (b) for sub-paragraph (iv) substitute—
 - “(iv) Citizens Advice, and
 - (v) Citizens Advice Scotland.”

(6) In section 23B (appeal to the Competition Commission)(6)—

- (a) in subsection (2)(d) for “the Council” substitute “Citizens Advice or Citizens Advice Scotland or those bodies acting jointly”;

-
- (1) 1986 c. 44 as amended by section 10(1) of and paragraph 26 of Schedule 3 to the Gas Act 1995 (c. 45), sections 20(5), 90(2), and 108 of and paragraphs 1, 2(1) and 10 of Part 1 of Schedule 6 to the Utilities Act 2000 (c. 27), section 17 of and paragraphs 1 and 3 of the Schedule to the Climate Change and Sustainable Energy Act 2006 (c. 19) and paragraph 1 of Schedule 1 to the Energy Act 2011 (c. 16).
 - (2) Section 4AB was inserted by section 10 of the Utilities Act 2000; Section 4AB(3)(b) was substituted by paragraph 5 of Schedule 7 to the 2007 Act.
 - (3) Section 6A was inserted by section 2 of the Gas (Exempt Supplies) Act 1993 (c. 1), and then substituted by section 4 of the Gas Act 1995; section 6A(1) was amended by sections 86(1) and 108 of and Schedule 8 to the Utilities Act 2000, section 149(1) and (4) of the Energy Act 2004 (c. 20) and articles 17 and 20 S.I. 2012/2400; section 6A(1A) and (1B) was inserted by section 86(2) of the Utilities Act 2000; sections 6A(2), (2A) and (3) was substituted for section 6A(2) and (3) by section 86(3) of that Act; sections 6A(5) to (9) were substituted for section 6A(5) by section 86(4) of that Act.
 - (4) Section 8 was substituted by section 8(1) of the Gas Act 1995 and amended by section 81(3)(b) of the Utilities Act 2000 and section 150(6)(a) of the Energy Act 2004; section 8(1)(aa) was inserted by section 150(6)(b) of the Energy Act 2004; section 8(2) was amended by section 108 of and paragraphs 1 and 2(1) of Part 1 of Schedule 6 to the Utilities Act 2000; section 8(3) to (7) was amended by section 3(2) of the Utilities Act 2000; section 8(6A) was inserted by section 150(7) of the Energy Act 2004; section 8(7) was amended by section 82(1)(a) and (b) of the Utilities Act 2000.
 - (5) Section 23 was substituted by and paragraph 21 of Schedule 3 to the Gas Act 1995; section 23(1) to (4) and (4A) was substituted for subsections (1) to (4) by regulations 41(1), (2) and (3) of S.I. 2011/2701; section 23(5) was amended by regulations 41(1), (2) and (4) of S.I. 2011/2701; section 23(6) to (10) was substituted for section 23(6) to (13) by regulations 41(1), (2) and (5) of S.I. 2011/2701; section 23(1) to (10) was further amended by section 3(2) of the Utilities Act 2000.
 - (6) Section 23B was inserted by regulations 41(1) and (7) of S.I. 2011/2704; section 23B(2) was amended by articles 17 and 24 of S.I. 2012/2400.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (b) in subsection (4)(c) for “by the Council,” substitute “by Citizens Advice or Citizens Advice Scotland or those bodies acting jointly.”
- (7) In section 27A (determination of certain disputes)(7), in subsection (1)(a) for the words from “Authority by” to “the Council,” substitute—
“Authority—
- (i) by either party, or
 - (ii) with the consent of either party, by Citizens Advice or Citizens Advice Scotland or Citizens Advice and Citizens Advice Scotland acting jointly;”.
- (8) In section 30A (penalties)(8), in subsection (7)—
- (a) omit the “and” following paragraph (b);
 - (b) for paragraph (c) substitute—
 - “(c) by serving a copy of the notice on Citizens Advice; and
 - (d) by serving a copy of the notice on Citizens Advice Scotland.”
- (9) In section 33AB (standards of performance in individual cases: disputes)(9), in subsection (1) —
- (a) in paragraph (a) for the words from “Authority by” to “the Council,” substitute—
“Authority—
 - (i) by either party, or
 - (ii) with the consent of either party, by Citizens Advice or Citizens Advice Scotland or Citizens Advice and Citizens Advice Scotland acting jointly;”.
 - (b) in paragraph (b) for “the Council” substitute “Citizens Advice or Citizens Advice Scotland”.
- (10) In section 33BAA (procedures for prescribing or determining standards of performance)(10), in subsection (1)(c) for “the Council” substitute “Citizens Advice and Citizens Advice Scotland”.
- (11) In section 33BC (promotion of reductions in carbon emissions: gas transporters and gas suppliers)(11), in subsection (11) for “the Council” substitute “Citizens Advice, Citizens Advice Scotland”.
- (12) In section 33DA (publication of statistical information about standards of performance)(12)—
- (a) in subsection (1) for the words from the beginning to “considers appropriate” substitute “It shall be the duty of both Citizens Advice and Citizens Advice Scotland to secure the publication, in such form and manner and with such frequency as the particular body thinks appropriate, of such statistical information as the particular body considers appropriate”;
 - (b) after subsection (1) insert—

-
- (7) Section 27A was inserted by section 10(1) of and paragraph 26 of Schedule 3 to the Gas Act 1995 and amended by sections 3(2) and 108 of and paragraphs 1, 2(1) and 10 of Part 1 of Schedule 6 to the Utilities Act 2000.
- (8) Section 30A was inserted by section 95(1) of the Utilities Act 2000; sections (1), (3), (5)(a), (5)(d), (7)(b) and (8) were amended by regulations 37(1) and (4)(d) of S.I. 2011/2704; section 30A(1)(b) was amended by article 9(2) of S.I. 2000/3343; section 30A(2) and (2A) was substituted for section 30(2) by paragraphs 1 and 3 of Schedule 14 to the Enterprise and Regulatory Reform Act 2013.
- (9) Section 33AB was inserted by section 90(2) of the Utilities Act 2000.
- (10) Section 33BAA was inserted by section 92 of the Utilities Act 2000.
- (11) Section 33BC was inserted by section 10(1) of and paragraph 36 of Schedule 3 to the Gas Act 1995, substituted by section 99 of the Utilities Act 2000 and amended by section 17 of and paragraphs 1, 2(1) and (2) of the Schedule to the [Climate Change and Sustainable Energy Act 2006 \(c. 19\)](#). There are other amendments not relevant to this Order.
- (12) Section 33DA was inserted by section 20(5) of the Utilities Act 2000; section 33DA(1)(a)(ii) was amended by section 17 of and paragraphs 1 and 3 of the Schedule to the Climate Change and Sustainable Energy Act 2006; section 33DA(1)(a)(iii) was amended by paragraph 1 of Schedule 1 to the Energy Act 2011.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- “(1A) Citizens Advice and Citizens Advice Scotland may comply with the duty in subsection (1) by publishing information jointly or by securing that information is published on behalf of both of them.”;
- (c) in subsection (2) for “or the Council” substitute “, Citizens Advice or Citizens Advice Scotland”.
- (13) In section 41D (application by Authority for order including new activities)(**13**), in subsection (2) for “the Council” substitute “Citizens Advice and Citizens Advice Scotland”.
- (14) In section 41E (references to Competition Commission)(**14**), in subsection (4) for “the Council” substitute “Citizens Advice and Citizens Advice Scotland”.
- (15) In section 41F (reports on references)(**15**)—
- (a) in subsection (7)—
- (i) for “send another copy to the Council” substitute “send a copy of the report to Citizens Advice and Citizens Advice Scotland”;
- (ii) for “that other copy” substitute “the copy sent to Citizens Advice and Citizens Advice Scotland”;
- (b) in subsection (8), for “the Council” substitute “Citizens Advice and Citizens Advice Scotland”.
- (16) In section 41G (application by Authority for order excluding activities)(**16**), in subsection (2) (a) for “and the Council” substitute “, Citizens Advice and Citizens Advice Scotland”.
- (17) In section 41H (consultation by Secretary of State about order excluding activities)(**17**), in subsection (2)(a) for “and the Council” substitute “, Citizens Advice and Citizens Advice Scotland”.
- (18) In section 41I (service by Authority of certain notices on Council)(**18**)—
- (a) in the heading for “Council” substitute “Citizens Advice and Citizens Advice Scotland”;
- (b) for “the Council” substitute “Citizens Advice and Citizens Advice Scotland”.
- (19) In section 66 (general interpretation)(**19**)—
- (a) 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;”;
- (b) omit the definition of “the Council”.
- (20) In Schedule 2B (the gas code)—
- (a) in paragraph 6A(4)(**20**), for paragraph (a) substitute—
- “(a) Citizens Advice;

(13) Section 41D was inserted by section 88 of the Utilities Act 2000.

(14) Section 41E was inserted by section 88 of the Utilities Act 2000. Other amendments to section 41E are not relevant to this Order.

(15) Section 41F was inserted by section 88 of the Utilities Act 2000; Sections (3A) and (3B) were inserted by, and Sections (4) and (4A) to (4D) were substituted for section 41F(4) by section 278(1) and paragraphs 15(1) and (13) of Schedule 25 to the 2002 Act.

(16) Section 41G was inserted by the section 88 of the Utilities Act 2000.

(17) Section 41H was inserted by section 88 of the Utilities Act 2000.

(18) Section 41I was inserted by section 18(5) of the Utilities Act 2000.

(19) Section 66 was amended by section 108 of and paragraph 22(a) of Part 1 of Schedule 6 to the Utilities Act 2000 and section 30(4)(a) of the 2007 Act.

(20) Schedule 2B was inserted by section 9(2) of and Schedule 2 to the Gas Act 1995; paragraph 6A was inserted by section 84(1) and (2) of the Utilities Act 2000 and substituted by section 181(1) of the Energy Act 2004; paragraph 6A(1)(a) was substituted by section 23(1) and (2) of the Energy Act 2011.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (aa) Citizens Advice Scotland;”;
- (b) in paragraph 8(11)(b)(**21**) for “and to the Council” substitute “, to Citizens Advice and to Citizens Advice Scotland”.

(21) Paragraph 8 of Schedule 2B was amended by section 108 of and paragraphs 1 and 23(a) and (b) of Part 1 of Schedule 6 to the Utilities Act 2000.