

EXPLANATORY NOTES

CONSUMER SCOTLAND ACT 2020

INTRODUCTION

THE ACT

Overview

PART 1

Consumer Scotland

Establishment

Section 1 – Establishment of Consumer Scotland

Functions

Section 2 – General function

Section 3 – Representative function

Section 4 – Research and investigation function

Section 5 – Information function

Section 6 – Recall of goods function

Section 7 – General provision about functions

Section 8 – Exercise of functions

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Section 9 – Requirement to provide information to Consumer Scotland

Section 10 – Failure by a designated regulator to comply with a section 9 notice

Section 11 – Enforcement by a designated regulator of section 9 notice

Section 12 – Enforcement by the court of a section 9 notice

Section 13 – Exemptions from requirement to provide information

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Section 14 - Forward work programmes

Section 15 – Reports on investigations

Section 16 – Annual report

Section 17 – Consumer welfare report

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Section 18 – Grants and loans by Consumer Scotland

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Section 19 – Review of Consumer Scotland’s performance

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PART 2

Consumer interests

Section 21 – Duty to have regard to consumer interests

Section 22 – Guidance about section 21 duty

Section 23 – Reporting on section 21 duty

PART 3

Interpretation and final provisions

Section 24 – Meaning of “consumer”

Section 25 – Interpretation

Section 26 – Regulations

Section 27 – Ancillary provision

Section 28 – Amendment of public bodies legislation

Section 29 – Commencement

Section 30 – Short Title

Schedule 1 – Consumer Scotland (status, membership, procedures and powers)

Status

Membership

Persons who may not be members

Early termination of membership

Members' remuneration, allowances and pensions

Chief executive and other staff

Committees

Authority to perform functions

Regulation of procedure

Validity of things done

General powers

Location of office

Schedule 2 - Application of public bodies' legislation

Ethical Standards in Public Life etc. (Scotland) Act 2000

Scottish Public Services Ombudsman Act 2002

Freedom of Information (Scotland) Act 2002

Public Appointments and Public Bodies etc. (Scotland) Act 2003

Public Services Reform (Scotland) Act 2010

Public Records (Scotland) Act 2011

Procurement Reform (Scotland) Act 2014

Gender Representation on Public Boards (Scotland) Act 2018

Islands (Scotland) Act 2018

PARLIAMENTARY HISTORY