POLICY NOTE

THE CONSUMER SCOTLAND (DESIGNATED REGULATORS) REGULATIONS 2021

SSI 2021/465

The above instrument was made in exercise of the powers conferred by section 9(6) of the Consumer Scotland Act 2020 which which provides for the Scottish Ministers to make regulations to specify who is a designated regulator for the purposes of section 9 of that Act.The instrument is subject to the negative procedure.

Purpose of the instrument.
This instrument sets out the authorities as per section 9(6) of the Consumer Scotland Act 2020 who are designated as regulators from whom Consumer Scotland can require information related to its functions by issuing a notice to provide information as per the powers provided to it by the Consumer Scotland Act 2020.

Policy Objectives
As per section 9 of the Consumer Scotland Act 2020 ("the 2020 Act"), Consumer Scotland may issue a notice requiring a person to provide information to Consumer Scotland in order for Consumer Scotland to exercise its functions. These Regulations confirm those regulatorsConsumer Scotland can issue a notice to under section 9 of the 2020 Act.

Regulation 2 determines the relevant authorities who Consumer Scotland may issue a notice to are Drinking Water Quality Regulator for Scotland and the Water Industry Commission for Scotland. These bodies are therefore designated regulators in terms of section 9(6) of the 2020 Act, and must respond to a notice issued by Consumer Scotland to them under s9(1) by providing the information specified or described in the notice, within a reasonable time period as specified in the notice.

Consultation
Scottish Government officials have consulted with the relevant authorities and other key stakeholders in relation to the content of this instrument in accordance with sections 9(7) and 9(8) of the 2020 Act.

Impact Assessments
All necessary impact assessments were completed as part of the 2020 Act passage process. These were: Business Regulatory Impact Assessment (BRIA), Equalities Impact Assessment (EQIA), Child Rights and Wellbeing Impact Assessment (CRWIA) and Data Protection Impact Assesment (DPIA).

Financial Effects
The financial effects of this instrument were considered as part of the impact assessments completed during the bill passage process and none were identified.

Scottish Government
DIRECTORATE FOR ENERGY AND CLIMATE CHANGE,
December 2021