

## SUPPLEMENTARY WRITTEN EVIDENCE FROM CONSUMER FOCUS SCOTLAND

Supplementary written evidence has been received from Consumer Focus Scotland, following the Committee's meeting on 26 September 2012. They have provided the below clarification, regarding the points raised in relation to the organisations' satisfaction with the distinction between core and non-core services.

"As discussed yesterday, I'm just emailing to clarify a point made by Alex Johnstone with regards to our satisfaction with the distinction between core and non-core services. We are satisfied that the Bill adequately distinguishes between core and non-core services.

The quote from our response which the member was referring to and wanted clarification on was from page 6 of our response. We state that: "In section 22(1) we question the intention that it is for Scottish Water alone to consider whether its actions are consistent with the exercise of its core functions and suggest that this should be re-drafted to state "Scottish Water must take reasonable steps to develop the value of its assets and expertise while this is not inconsistent with the economic, efficient, and effective exercise of its core functions." The same principle applies to section 23 (1).

As it currently is, Section 22 (1) states that "So far as it considers is not inconsistent with the economic, efficient, and effective exercise of its core functions, Scottish Water must take reasonable steps to develop the value of its assets and expertise. Section 23(1) is similar in wording and could also be amended.

Although this is a minor amendment that we are proposing, we feel it would strengthen the wording of the bill and remove any subjectivity that could be attached to Scottish Water's 'consideration' of its core services. This would provide clearer guidance on Scottish Water's responsibilities to its core functions when developing assets or supporting renewable energy."