



Electricity Act 1989

1989 CHAPTER 29

PART I

ELECTRICITY SUPPLY

Supplemental

60 Powers to make regulations.

- (1) Regulations made under any provision of this Part may provide for the determination of questions of fact or of law which may arise in giving effect to the regulations and for regulating (otherwise than in relation to any court proceedings) any matters relating to the practice and procedure to be followed in connection with the determination of such questions, including provision—
 - (a) as to the mode of proof of any matter;
 - (b) as to parties and their representation;
 - (c) for the right to appear before and be heard by the Secretary of State, the Director and other authorities; and
 - (d) as to awarding costs or expenses of proceedings for the determination of such questions, including the amount of the costs or expenses and the enforcement of the awards.
- (2) Regulations made under any provision of this Part which prescribe a period within which things are to be done may provide for extending the period so prescribed.
- (3) Regulations made under any provision of this Part may—
 - (a) provide for anything falling to be determined under the regulations to be determined by such persons, in accordance with such procedure and by reference to such matters and to the opinion of such persons as may be prescribed by the regulations;
 - (b) make different provision for different cases, including different provision in relation to different persons, circumstances or localities; and

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- (c) make such supplemental, consequential and transitional provision as the Secretary of State or, as the case may be, the Director considers appropriate.

Modifications etc. (not altering text)

- C1** S. 60 applied (29.9.2000 for specified purposes and otherwise 7.11.2000) by 2000 c. 27, s. 27(6); S.I. 2000/2412, art. 2, Sch.; S.I. 2000/2974, art. 2, Sch. (subject to transitional provisions in arts. 3-12)
- C2** S. 60: transfer of certain functions (S.) (1.7.1999) by S.I. 1999/1750, arts. 1, 2, Sch. 1 (with art. 7)

61 Concurrent proceedings.

- (1) Subsection (2) below applies where a licence holder makes an application to the Secretary of State for his consent under section 36 above for the construction or extension of a generating station and, for a purpose connected with the proposed construction or extension of that station, makes either or both of the following, namely—

- (a) a compulsory purchase order; and
- (b) an application to the Secretary of State for authorisation under paragraph 1 of Schedule 5 to this Act (water rights for hydro-electric generating stations in Scotland).

- (2) The proceedings which—

- (a) in the case of a compulsory purchase order, are required by Part II of the ^{M1}Acquisition of Land Act 1981 or Schedule 1 to the ^{M2}Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 to be taken for the purpose of confirming that order;
- (b) in the case of an application under paragraph 1 of Schedule 5 to this Act, are required by paragraphs 7 to 12 of that Schedule to be taken in relation to that application,

may be taken concurrently (so far as practicable) with the proceedings required by Schedule 8 to this Act to be taken in relation to the application for consent under section 36 above [^{F1}and with any related proceedings under Schedule 16 to the Energy Act 2004].

- (3) Subsection (4) below applies where a licence holder makes an application to the Secretary of State for his consent under section 37 above for the installation of an electric line above ground and, for a purpose connected with the proposed installation of that line, makes one or more of the following, namely—

- (a) a compulsory purchase order;
- (b) an application to the Secretary of State under paragraph 6 of Schedule 4 to this Act for a necessary wayleave; and
- (c) a reference to the Secretary of State under paragraph 9 (felling and lopping of trees) of that Schedule.

- (4) The proceedings which—

- (a) in the case of a compulsory purchase order, are required by Part II of the Acquisition of Land Act 1981 or Schedule 1 to the Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 to be taken for the purpose of confirming that order;
- (b) in the case of an application under paragraph 6 of Schedule 4 to this Act, are required by that paragraph to be taken in relation to that application;

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- (c) in the case of a reference under paragraph 9 of that Schedule, are required by that paragraph to be taken in relation to that reference, may be taken concurrently (so far as practicable) with the proceedings required by Schedule 8 to this Act to be taken in relation to the application for consent under section 37 above.
- (5) Where, for a purpose connected with the proposed installation of an electric line, a licence holder makes—
- (a) an application to the Secretary of State under paragraph 6 of Schedule 4 to this Act for the necessary wayleave; and
- (b) a reference to the Secretary of State under paragraph 9 of that Schedule, the proceedings required by the said paragraph 9 to be taken in relation to the reference under that paragraph may be taken concurrently (so far as practicable) with the proceedings required by the said paragraph 6 to be taken in relation to the application under that paragraph.

Textual Amendments

- F1** Words in s. 61(2) inserted (1.10.2005) by [Energy Act 2004 \(c. 20\)](#), **ss. 102(2)**, 198(2); [S.I. 2005/877](#), [art. 2\(2\)](#), [Sch. 2](#)

Modifications etc. (not altering text)

- C3** S. 61: transfer of certain functions (S.) (1.7.1999) by [S.I. 1999/1750](#), [arts. 1, 2](#), **Sch. 1** (with [art. 7](#))

Marginal Citations

- M1** [1981 c. 67](#).
M2 [1947 c. 42](#).

62 Public inquiries.

- (1) The Secretary of State may cause an enquiry to be held in any case where he considers it advisable to do so in connection with any matter arising under this Part other than a matter in respect of which any functions of the Director under section 25 above are or may be exercisable [^{F2}or a matter relating to a function which is exercisable by the Scottish Ministers]^{F3}or the Welsh Ministers].

[^{F4}(1A) The Scottish Ministers may cause an inquiry to be held in any case where they consider it advisable to do so in connection with any matter relating to the exercise by them of a function under this Part.]

[^{F5}(1B) The Welsh Ministers may cause an inquiry to be held in any case where they consider it advisable to do so in connection with any matter relating to the exercise by them of any function under this Part.]

- (2) The provisions of subsections (2) to (5) of section 250 of the ^{M3}Local Government Act 1972 or subsections (2) to (8) of section 210 of the ^{M4}Local Government (Scotland) Act 1973 (which relate to the giving of evidence at, and defraying the cost of, local enquiries) shall apply in relation to any inquiry held under this Part as they apply in relation to a local inquiry which a Minister causes to be held under subsection (1) of that section.

- (3) Where—

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- (a) an enquiry is to be [^{F6}caused to be held by the Secretary of State] under this Part [^{F7}or Schedule 16 to the Energy Act 2004] in connection with any matter; and
- (b) in the case of some other matter required or authorised (whether by this Part [^{F8}, that Schedule] or by any other enactment) to be the subject of an enquiry (“the other enquiry”), it appears to the relevant Minister or Ministers that the matters are so far cognate that they should be considered together,

the relevant Minister or Ministers may direct that the two inquiries be held concurrently or combined as one inquiry.

- (4) In subsection (3) above “the relevant Minister or Ministers” means the Secretary of State or, where causing the other inquiry to be held is a function of some other Minister of the Crown, the Secretary of State and that other Minister acting jointly.

[^{F9}(5) Where—

- (a) an inquiry is to be caused to be held by the Scottish Ministers under this Part in connection with any matter; and
- (b) in the case of some other matter required or authorised (whether by this Part or by any other enactment) to be the subject of an inquiry which is to be caused to be held by the Scottish Ministers, it appears to the Scottish Ministers that the matters are so far cognate that they should be considered together,

the Scottish Ministers may direct that the two inquiries be held concurrently or combined as one inquiry.]

[^{F10}(6) Where—

- (a) an inquiry is to be caused to be held by the Welsh Ministers under this Part or Schedule 16 to the Energy Act 2004 in connection with any matter; and
- (b) in the case of some other matter required or authorised (whether by this Part, that Schedule or by any other enactment) to be the subject of an inquiry which is to be caused to be held by the Welsh Ministers, it appears to the Welsh Ministers that the matters are so far cognate that they should be considered together,

the Welsh Ministers may direct that the two inquiries be held concurrently or combined as one inquiry.]

Textual Amendments

- F2** Words in s. 62(1) added (1.7.1999) by S.I. 1999/1750, arts. 1, 6(1), **Sch. 5 para. 8(1)(2)** (with art. 7)
- F3** Words in s. 62(1) inserted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **24(2)**
- F4** S. 62(1A) inserted (1.7.1999) by S.I. 1999/1750, arts. 1, 6(1), **Sch. 5 para. 8(3)** (with art. 7)
- F5** S. 62(1B) inserted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **24(3)**
- F6** Words in s. 62(1) substituted (1.7.1999) by S.I. 1999/1750, arts. 1, 6(1), **Sch. 5 para. 8(4)** (with art. 7)
- F7** Words in s. 62(3)(a) inserted (1.10.2005) by Energy Act 2004 (c. 20), **ss. 102(3)(a)**, 198(2); S.I. 2005/877, art. 2(2), Sch. 2
- F8** Words in s. 62(3)(b) inserted (1.10.2005) by Energy Act 2004 (c. 20), **ss. 102(3)(b)**, 198(2); S.I. 2005/877, art. 2(2), Sch. 2
- F9** S. 62(5) added (1.7.1999) by S.I. 1999/1750, arts. 1, 6(1), **Sch. 5 para. 8(5)** (with art. 7)
- F10** S. 62(6) inserted (24.5.2018) by The Welsh Ministers (Transfer of Functions) Order 2018 (S.I. 2018/644), arts. 1(1), **24(4)**

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Marginal Citations

M3 1972 c. 70.

M4 1973 c. 65.

63 Application to Crown land.

(1) No power (whether a power of compulsory acquisition or other compulsory power, a power to carry out works or a power of entry) which is conferred by or under this Part shall, except with the consent of the appropriate authority, be exercisable in relation to any land in which there is a Crown or Duchy interest, that is to say, an interest—

- (a) belonging to Her Majesty in right of the Crown or of the Duchy of Lancaster, or to the Duchy of Cornwall; or
- (b) belonging to a government department or held in trust for Her Majesty for the purposes of a government department.

(2) A consent given for the purposes of subsection (1) above may be given on such financial and other conditions as the appropriate authority giving the consent may consider appropriate.

(3) Subject to subsection (1) above, the provisions of this Part shall have effect in relation to land in which there is a Crown or Duchy interest as they have effect in relation to land in which there is no such interest.

(4) In this section “the appropriate authority”—

- (a) in relation to land belonging to Her Majesty in right of the Crown and forming part of the Crown Estate, means the Crown Estate Commissioners;
- (b) in relation to any other land belonging to Her Majesty in right of the Crown, means the government department having the management of the land [^{F11}or the relevant person];
- (c) in relation to land belonging to Her Majesty in right of the Duchy of Lancaster, means the Chancellor of that Duchy;
- (d) in relation to land belonging to the Duchy of Cornwall, means such person as the Duke of Cornwall, or the possessor for the time being of that Duchy, appoints;
- (e) in relation to land belonging to a government department or held in trust for Her Majesty for the purposes of a government department, means that department;

and, if any question arises as to what authority is the appropriate authority in relation to any land, that question shall be referred to the Treasury, whose decision shall be final.

[^{F12}(5) In subsection (4), “relevant person”, in relation to any land to which section 90B(5) of the Scotland Act 1998 applies, means the person who manages that land.]

Textual Amendments

F11 Words in s. 63(4)(b) inserted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), [Sch. 5 para. 22\(a\)](#)

F12 S. 63(5) inserted (1.4.2017) by [The Crown Estate Transfer Scheme 2017 \(S.I. 2017/524\)](#), art. 1(2), [Sch. 5 para. 22\(b\)](#)

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64 Interpretation etc. of Part I.

(1) In this Part, unless the context otherwise requires—

“the 1973 Act” means the ^{M5} Fair Trading Act 1973;

“the 1980 Act” means the ^{M6} Competition Act 1980;

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...

^{F14}

...

[^{F15}“the Agency” means the Agency for the Cooperation of Energy Regulators established under the Agency Regulation;]

[^{F16}“the Agency Regulation” means Regulation (EU) 2019/942 of the European Parliament and of the Council of 5 June 2019 establishing a European Union Agency for the Cooperation of Energy Regulators (recast), and “predecessor”, in relation to that Regulation, means Regulation (EC) 713/2009 of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators;]

[^{F17}“authorised distributor” means a person who is authorised by a licence or exemption to distribute electricity;]

[^{F18}“authorised supplier” means a person who is authorised by a licence or exemption to supply electricity;]

^{F19}

...

[^{F20}“the CMA ”means the Competition and Markets Authority;]

[^{F21}“construct” and “construction”, in relation to so much of a generating station as comprises or is to comprise renewable energy installations, has the same meaning as in Chapter 2 of Part 2 of the Energy Act 2004;]

[^{F22}“contract counterparty” has the meaning given by section 6BA;]

^{F23}

...

^{F24}

...

[^{F22}“delivery body” has the meaning given by section 6BB;]

[^{F25}“designated regulatory function” means—

(a) a function of the Authority conferred by—

(i) a provision of [^{F26}assimilated] law, or

(ii) a condition in a licence under section 6 as that condition is modified from time to time after IP completion day,

where that function was, immediately before IP completion day, one of its functions as a regulatory authority designated in accordance with Article 35 of the Electricity Directive;

(b) a function of the Northern Ireland Authority as a regulatory authority designated in accordance with Article 35 of the Electricity Directive;]

[^{F17}“distribute” in relation to electricity, has the meaning given by section 4(4), and cognate expressions shall be construed accordingly;]

[^{F15}“distribution exemption holder” means a person who—

(a) is distributing electricity for the purpose mentioned in section 4(1)(bb); and

(b) is authorised to do so by an exemption;]

“electrical plant” means any plant equipment, apparatus or appliance used for, or for purposes connected with the generation, transmission[^{F27}, distribution] or supply of electricity, other than—

(a) an electric line;

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(b) a meter used for ascertaining the quantity of electricity supplied to any premises; or

(c) an electrical appliance under the control of a consumer;

“electric line” means any line which is used for carrying electricity for any purpose and includes, unless the context otherwise requires—

(a) any support of any such line, that is to say, any structure, pole or other thing in, on, by or from which any such line is or may be supported, carried or suspended;

(b) any apparatus connected to any such line for the purpose of carrying electricity; and

(c) any wire, cable, tube, pipe or other similar thing (including its casing or coating) which surrounds or supports, or is surrounded or supported by, or is installed in close proximity to, or is supported, carried or suspended in association with, any such line;

[^{F15}“the Electricity Directive” means Directive [2009/72/EC](#) of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive [2003/54/EC](#)];

[^{F28}“electricity distributor”^{F29}... and “electricity supplier” have the meanings given by section 6(9);]

[^{F30}“electricity interconnector” has the meaning given by section 4(3E);]

[^{F31}“the Electricity Regulation” means Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (recast), and “predecessor”, in relation to that Regulation, means Regulation (EC) [714/2009](#) of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity;]

[^{F15}“electricity undertaking” has the meaning given by section 100;]

[^{F15}“exempt distribution system” means a distribution system operated or controlled by a distribution exemption holder who is covered by an exemption granted to it in relation to that system;]

“exemption” means an exemption under section 5 above;

“extension”, in relation to a generating station, has the meaning given by section 36(8) above and “extend” shall be construed accordingly;

“final order” and “provisional order” have the meanings given by section 25(8) above;

[^{F32}“generate”, in relation to electricity, has the meaning given by section 4(4) above, and cognate expressions shall be construed accordingly;]

“generating station”, in relation to a generating station wholly or mainly driven by water, includes all structures and works for holding or channelling water for a purpose directly related to the generation of electricity by that station;

[^{F33}“high voltage line” means an electric line which—

(a) if it is in Scotland or is a relevant offshore line (as defined in subsection (1A)), is of a nominal voltage of 132 kilovolts or more; and

(b) in any other case, is of a nominal voltage of more than 132 kilovolts,

and “low voltage line” shall be construed accordingly;]

“information” includes accounts, estimates and returns;

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“licence” means a licence under section 6 above and “licence holder” shall be construed accordingly;

[^{F34}“licensable activity” means an activity which, if carried on without the authority of a licence or exemption, constitutes an offence under section 4(1);]

“line” means any wire, cable, tube, pipe or any other similar thing (including its casing or coating) which is designed or adapted for use in carrying electricity;

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...

^{F36}

[^{F37}“Northern Ireland Authority” means the Northern Ireland Authority for Utility Regulation;]

“notice” means notice in writing;

[^{F22}“offshore transmission” and “offshore transmission licence” have the meaning given by section 6F(8);]

[^{F22}“offshore waters” means—

- (a) waters in or adjacent to Great Britain which are between the mean low water mark and the seaward limits of the territorial sea, and
- (b) waters within an area designated under section 1(7) of the Continental Shelf Act 1964;]

“premises” includes any land, building or structure;

“prescribed”, [^{F38}means prescribed by regulations made, unless the context otherwise requires,] by the Secretary of State;

^{F39}

...

^{F39}

[^{F40}“providing a smart meter communication service” has the meaning given in section 4(3G) above, and cognate expressions shall be construed accordingly;]

[^{F15}“regulated person” has the meaning given by section 25(8);]

“relevant condition” and “relevant requirement” have the meanings given by section 25(8) above;

[^{F22}“relevant contract” and “relevant licence” have the meaning given by section 6BA;]

[^{F22}“relevant electricity project” has the meaning given by section 6BA;]

[^{F22}“relevant licence” has the meaning given by section 6BA;]

[^{F15}“relevant producer or supplier” has the meaning given by section 10O;]

[^{F41}“renewable energy installation” and “Renewable Energy Zone” have the same meanings as in Chapter 2 of Part 2 of the Energy Act 2004;]

[^{F15}“senior officer” means—

- (a) in relation to a company, a director;
- (b) in relation to a partnership, a partner;
- (c) in any other case, a person holding a position equivalent to that of a director or partner;]

[^{F42}“special connection agreement” means a special agreement under section 22;]

“supply”, in relation to electricity, has the meaning given by section 4(4) above, and cognate expressions shall be construed accordingly;

[^{F15}“supply exemption holder” means a person who—

- (a) is carrying on the activity mentioned in section 4(1)(c); and

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(b) is authorised to do so by an exemption;]

^{F39}
...

[^{F43}“transmission”, in relation to electricity, has the meaning given by section 4(4) above;

“transmission system” has the same meaning given by section 4(4) above;]

“working day” means any day other than a Saturday, a Sunday, Christmas Day, Good Friday or a day which is a bank holiday within the meaning of the ^{M7} Banking and Financial Dealings Act 1971.

[^{F44}(1A) An electric line is a relevant offshore line for the purposes of the definition in subsection (1) of “high voltage line” if—

(a) it is wholly or partly in an area of GB internal waters, an area of the territorial sea adjacent to the United Kingdom or an area designated under section 1(7) of the Continental Shelf Act 1964, and

(b) it is—

(i) used to convey electricity to a place in Scotland, or

(ii) constructed wholly or mainly for the purpose of conveying, to any other place, electricity generated by a generating station situated in an area mentioned in paragraph (a).

(1AA) In subsection (1A)(a) “GB internal waters” means waters in or adjacent to Great Britain which are between the mean low water mark and the seaward limits of the territorial sea adjacent to Great Britain, but do not form part of that territorial sea.]

[^{F45}(1B) In this Part, references to participation, in relation to the transmission of electricity, are to be construed in accordance with section 4(3A) and (3B) above [^{F46} and section 6F].]

(2) The provision of section 3 of the ^{M8} Administration of Justice (Scotland) Act 1972 (power of arbiter to state case to Court of Session) shall not apply in relation to any determination under this Part made by an arbiter.

Textual Amendments

- F13** Words in s. 64(1) omitted (25.2.2020) by virtue of [The Electricity and Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/96\)](#), regs. 1, **3(8)(a)**
- F14** Words in s. 64(1) repealed (1.9.2004) by [Energy Act 2004 \(c. 20\)](#), s. 198(2), **Sch. 23 Pt. 1**; S.I. 2004/2184, art. 2(2), Sch. 2
- F15** Words in s. 64(1) inserted (10.11.2011) by [The Electricity and Gas \(Internal Markets\) Regulations 2011 \(S.I. 2011/2704\)](#), regs. 1(1), **48**
- F16** Words in s. 64(1) substituted (25.2.2020) by [The Electricity and Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/96\)](#), regs. 1, **3(8)(b)**
- F17** S. 64(1): definitions of “authorised distributor” and “distribute” inserted (1.10.2001) by [2000 c. 27, s. 108, Sch. 6 Pt. II para. 38\(2\)](#); S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F18** S. 64(1): definition of “authorised supplier” inserted (7.11.2000 for specified purposes and otherwise 1.10.2001) by [2000 c. 27, s. 108, Sch. 6 Pt. II para. 38\(2\)](#); S.I. 2000/2974, art. 2, **Sch.** (subject to transitional provisions in arts. 3-12); S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F19** Words in s. 64(1) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **60(2)**; [2020 c. 1, Sch. 5 para. 1\(1\)](#)
- F20** Words in s. 64(1) inserted (1.4.2014) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), **Sch. 6 para. 43**; S.I. 2014/416, art. 2(1)(d) (with Sch.)

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- F21** Words in s. 64(1) inserted (5.10.2004) by Energy Act 2004 (c. 20), **ss. 102(4)(a)**, 198(2); S.I. 2004/2575, art. 2(1), Sch. 1
- F22** Words in s. 64(1) inserted (26.10.2023) by Energy Act 2023 (c. 52), s. 334(2)(i), **Sch. 15 para. 9**
- F23** Words in s. 64(1) omitted (31.12.2020) by virtue of The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **60(3)**; 2020 c. 1, Sch. 5 para. 1(1)
- F24** Words in s. 64(1) omitted (31.12.2020) by virtue of The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **60(4)**; 2020 c. 1, Sch. 5 para. 1(1)
- F25** Words in s. 64(1) inserted (31.12.2020) by The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **60(6)** (as amended by The Electricity and Gas etc. (Amendment) (EU Exit) Regulations 2020 (S.I. 2020/1016), regs. 1(2), **3(24)**); 2020 c. 1, Sch. 5 para. 1(1)
- F26** Word in s. 64(1) substituted (1.1.2024) by The Retained EU Law (Revocation and Reform) Act 2023 (Consequential Amendment) Regulations 2023 (S.I. 2023/1424), reg. 1(2), **Sch. para. 26(2)(c)**
- F27** S. 64(1): words in definition of “electrical plant” inserted (1.10.2001) by 2000 c. 27, s. 108, **Sch. 6 Pt. II para. 38(3)**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F28** S. 64(1): definitions of “electricity distributor” and “electricity supplier” inserted (1.10.2001) by 2000 c. 27, s. 108, **Sch. 6 Pt. II para. 38(4)**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F29** Words in s. 64(1) omitted (6.4.2014) by virtue of Energy Act 2011 (c. 16), s. 121(5)(c), **Sch. 1 para. 6**
- F30** Words in s. 64(1) inserted (1.12.2004) by Energy Act 2004 (c. 20), **ss. 147(7)**, 198(2); S.I. 2004/2575, art. 2(2), Sch. 2
- F31** Words in s. 64(1) substituted (25.2.2020) by The Electricity and Gas (Internal Markets) Regulations 2020 (S.I. 2020/96), regs. 1, **3(8)(c)**
- F32** Words in s. 64(1) inserted (1.3.2005 for specified purposes, 29.7.2010 for specified purposes, 10.6.2014 in so far as not already in force) by Energy Act 2004 (c. 20), **ss. 89(4)**, 198(2); S.I. 2005/442, art. 2(1), Sch. 1; S.I. 2010/1889, art. 2; S.I. 2014/1460, art. 2
- F33** Words in s. 64(1) substituted (29.7.2010 for specified purposes, 10.6.2014 in so far as not already in force) by Energy Act 2004 (c. 20), **ss. 180(1)**, 198(2); S.I. 2010/1889, art. 2; S.I. 2014/1460, art. 2
- F34** S. 64(1): definition of “licensable activity” inserted (1.10.2001) by 2000 c. 27, s. 108, **Sch. 6 Pt. II para. 38(5)**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F35** Words in s. 64(1) omitted (31.12.2020) by virtue of The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **60(5)**; 2020 c. 1, Sch. 5 para. 1(1)
- F36** S. 64(1): definition of “Monopolies Commission” repealed (1.4.1999) by S.I. 1999/506, **art. 24(c)**
- F37** Words in s. 64(1) inserted (31.12.2020) by The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **60(7)**; 2020 c. 1, Sch. 5 para. 1(1)
- F38** S. 64(1): words in definition of “prescribed” substituted (1.10.2001) by 2000 c. 27, s. 108, **Sch. 6 Pt. II para. 38(6)**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F39** S. 64(1): definitions of “private electricity supplier”, “public electricity supplier” and “tariff customer” repealed (1.10.2001) by 2000 c. 27, s. 108, Sch. 6 Pt. II para. 38(8), **Sch. 8**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F40** Words in s. 64(1) inserted (19.9.2012) by The Electricity and Gas (Smart Meters Licensable Activity) Order 2012 (S.I. 2012/2400), arts. 1, **13**
- F41** Words in s. 64(1) inserted (5.10.2004) by Energy Act 2004 (c. 20), **ss. 102(4)(b)**, 198(2); S.I. 2004/2575, art. 2(1), Sch. 1
- F42** S. 64(1): definition of “special connection agreement” inserted (1.10.2001) by 2000 c. 27, s. 108, **Sch. 6 Pt. II para. 38(7)**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F43** Words in s. 64(1) substituted (1.9.2004) by Energy Act 2004 (c. 20), s. 198(2), **Sch. 19 para. 15(2)**; S.I. 2004/2184, art. 2(2), Sch. 2
- F44** S. 64(1A)(1AA) inserted (29.7.2010 for specified purposes, 10.6.2014 in so far as not already in force) by Energy Act 2008 (c. 32), **ss. 44(3)**, 110(2); S.I. 2010/1888, art. 2(1); S.I. 2014/1461, art. 2(a)
- F45** S. 64(1B) inserted (1.9.2004) by Energy Act 2004 (c. 20), s. 198(2), **Sch. 19 para. 15(3)**; S.I. 2004/2184, art. 2(2), Sch. 2
- F46** Words in s. 64(1B) inserted (18.2.2014) by Energy Act 2013 (c. 32), **ss. 147(4)**, 156(2)

Changes to legislation: Electricity Act 1989, Cross Heading: Supplemental is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Modifications etc. (not altering text)

C4 S. 64: definitions applied by [Heathrow Express Railway Act 1991 \(c. vii\), s. 37\(1\)\(a\)](#)

Marginal Citations

M5 1973 c. 41.

M6 1980 c. 21.

M7 1971 c. 80.

M8 1972 c. 59.

Changes to legislation:

Electricity Act 1989, Cross Heading: Supplemental is up to date with all changes known to be in force on or before 19 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 4(1)(f) and word inserted by [2023 c. 52 s. 186\(3\)\(b\)](#)
- s. 4(1)(ca) inserted by [2023 c. 52 s. 166\(2\)](#)
- s. 4(1)(da) inserted by [2023 c. 52 s. 205\(2\)\(b\)](#)
- s. 4(3H)(3I) inserted by [2023 c. 52 s. 186\(4\)](#)
- s. 4(3CA) inserted by [2023 c. 52 s. 205\(3\)](#)
- s. 4(3EA) inserted by [2023 c. 52 s. 205\(5\)](#)
- s. 6(1)(g) and word inserted by [2023 c. 52 s. 186\(7\)\(b\)](#)
- s. 6(1)(ea) inserted by [2023 c. 52 s. 205\(8\)\(b\)](#)
- s. 6(2C) inserted by [2023 c. 52 s. 186\(8\)](#)
- s. 6(2AA) inserted by [2023 c. 52 s. 205\(9\)](#)
- s. 6(6E) inserted by [2023 c. 52 s. 205\(10\)](#)
- s. 7(3GA) inserted by [2023 c. 52 s. 186\(17\)](#)
- s. 7A(11B) inserted by [2023 c. 52 s. 186\(18\)](#)
- s. 8A(1C) inserted by [2023 c. 52 s. 206\(6\)](#)
- s. 10NA inserted by [2023 c. 52 s. 207\(2\)](#)
- s. 11E(2)(d) and word inserted by [2013 c. 32 s. 138\(5\)\(b\)\(iii\)](#)
- s. 11AA inserted by [2018 c. 14 s. 13\(3\)](#)
- s. 15(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 3(2)(b) (as substituted) by [S.I. 2019/1245 reg. 19](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 25(8A) inserted by [2023 c. 52 Sch. 14 para. 7\(3\)](#)
- s. 44A inserted by [1992 c. 43 s. 23](#)
- s. 44A(6)(b)(i) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 44B(1)(a)(iiia) inserted by [2023 c. 52 Sch. 17 para. 8](#)
- s. 56C(6)(d) and word inserted by [2013 c. 32 s. 138\(5\)\(d\)\(ii\)](#)
- Sch. 5A para. 2(1A) inserted by [2018 c. 14 s. 13\(4\)](#)
- Sch. 6A para. 9ZA and cross-heading inserted by [2023 c. 52 Sch. 14 para. 8](#)