



Energy Act 2004

2004 CHAPTER 20

PART 3

ENERGY REGULATION

CHAPTER 1

ELECTRICITY TRADING AND TRANSMISSION

137 New standard conditions for transmission licences

- (1) If the Secretary of State considers it necessary or expedient to do so for the purpose of implementing the new trading and transmission arrangements, he may determine new standard conditions in relation to transmission licences.
- (2) The Secretary of State shall publish any conditions determined under subsection (1) in such manner as he considers appropriate.
- (3) Conditions published in accordance with subsection (2) shall be standard conditions for the purposes of transmission licences, subject to any modifications of the standard conditions for the purposes of licences of that type made—
 - ^{F1}(za)
 - (a) under Part 1 of the 1989 Act, or
 - (b) under this Act [^{F2}, ^{F3}...
 - (f) under the Energy Act 2013,]^{F4}or
 - (g) under the Nuclear Energy (Financing) Act 2022,]after the determination under subsection (1).
- (4) The standard conditions for the purposes of transmission licences may contain provision—
 - (a) for any standard condition included in a transmission licence not to have effect until brought into operation in such manner, and in such circumstances, as may be specified in, or determined under, the standard conditions;

Changes to legislation: Energy Act 2004, Section 137 is up to date with all changes known to be in force on or before 21 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

- (b) for the effect of any standard condition included in such a licence to be suspended in such manner, and in such circumstances, as may be so specified or determined;
 - (c) for any standard condition included in such a licence which is suspended to be brought back into operation in such manner, and in such circumstances, as may be so specified or determined.
- (5) In section 8A of the 1989 Act (standard conditions of licences), in subsection (1) (incorporation in future licences of conditions which are standard conditions by virtue of section 33(1) of the Utilities Act 2000 (c. 27)), for the words from “section 6(1)” to “supply licences” substitute “ section 6(1)(a), (c) or (d) (that is to say, generation licences, distribution licences or supply licences) ”.
- (6) In that section, after subsection (1) insert—
- “(1A) Subject to subsection (2), each condition which by virtue of section 137(3) of the Energy Act 2004 is a standard condition for the purposes of transmission licences shall be incorporated by reference in each transmission licence granted on or after the day on which section 137(6) of that Act comes into force.”
- (7) The power under subsection (1) may not be exercised—
- (a) after the end of the period of eighteen months beginning with the day on which that subsection comes into force, or
 - (b) on or after the day on which subsections (5) and (6) come into force.

Textual Amendments

- F1** S. 137(3)(za) 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), **73**; 2020 c. 1, Sch. 5 para. 1(1)
- F2** S. 137(3)(f) and word inserted (18.12.2013) by [Energy Act 2013 \(c. 32\)](#), **ss. 65(3)(b)**, 156(3)
- F3** Word in s. 137(3) omitted (1.6.2022) by virtue of [Nuclear Energy \(Financing\) Act 2022 \(c. 15\)](#), s. 44(2)(d), **Sch. para. 3(a)**
- F4** S. 137(3)(g) and word inserted (1.6.2022) by [Nuclear Energy \(Financing\) Act 2022 \(c. 15\)](#), s. 44(2)(d), **Sch. para. 3(b)**

Commencement Information

- I1** S. 137(1)-(4)(7) in force at 24.8.2004 by [S.I. 2004/2184](#), art. 2(1), **Sch. 1**
- I2** S. 137(5)(6) in force at 1.9.2004 by [S.I. 2004/2184](#), art. 2(2), **Sch. 2**

Changes to legislation:

Energy Act 2004, Section 137 is up to date with all changes known to be in force on or before 21 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 :

- s. 137(3)(a) word omitted by [2011 c. 16 s. 117\(a\)](#)

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. 137(3)(c)-(e) inserted by [2011 c. 16 s. 117\(b\)](#)
- s. 173(2C) inserted by [2023 c. 52 Sch. 14 para. 10](#)
- Sch. 22 para. 4(1A) inserted by [2023 c. 52 Sch. 14 para. 11\(2\)\(b\)](#)