



# Energy Act 2004

## 2004 CHAPTER 20

### PART 4

#### MISCELLANEOUS AND SUPPLEMENTAL

##### *Supplemental*

#### **196 General interpretation**

(1) In this Act—

“the 1965 Act” means the Nuclear Installations Act 1965 (c. 57);

“the 1989 Act” means the Electricity Act 1989 (c. 29);

[<sup>F1</sup>“the 1993 Act” means the Radioactive Substances Act 1993 (c. 12);]

“affirmative resolution procedure” is to be construed in accordance with section 192(3);

“BNFL” means the Nuclear Fuels Company (within the meaning of the Atomic Energy Authority Act 1971 (c. 11));

“contravention” includes a failure to comply, and cognate expressions are to be construed accordingly;

“documents” includes accounts, drawings, written representations and records of any description;

“electronic communications network” has the same meaning as in the Communications Act 2003 (c. 21);

“enactment” [<sup>F2</sup>(except in Chapter 5 of Part 2)] includes Acts of the Scottish Parliament and Northern Ireland legislation;

“financial year” means a period of twelve months ending with 31st March;

“GEMA” means the Gas and Electricity Markets Authority;

“modification” includes omission, addition or alteration, and cognate expressions are to be construed accordingly;

“the NDA” means the Nuclear Decommissioning Authority established by section 1;

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*Changes to legislation: Energy Act 2004, Section 196 is up to date with all changes known to be in force on or before 20 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*

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“negative resolution procedure” is to be construed in accordance with section 192(2);

“nuclear site licence” has the same meaning as in the 1965 Act;

“nuclear transfer scheme” means a scheme under section 38;

“pensions, allowances or gratuities” is to be construed in accordance with subsection (2);

“securities”, in relation to a body corporate, includes shares, debentures, debenture stock, bonds and other securities of the body corporate, whether or not constituting a charge on the assets of the body corporate;

“shares” includes stock;

“subordinate legislation” has the same meaning as in the Interpretation Act 1978 (c. 30);

“subsidiary” and “wholly-owned subsidiary” have the meanings given by [F3section 1159 of the Companies Act 2006];

“the UKAEA” means the United Kingdom Atomic Energy Authority.

(2) In this Act—

- (a) references to pensions, allowances or gratuities include references to any similar benefits provided on death or retirement; and
- (b) references to the payment of pensions, allowances or gratuities to or in respect of a person include references to the making of payments towards the provision of the payment of pensions, allowances or gratuities to or in respect of that person.

#### Textual Amendments

- F1** Words in s. 196(1) repealed (E.W.) (6.4.2010) by [The Environmental Permitting \(England and Wales\) Regulations 2010 \(S.I. 2010/675\)](#), reg. 1(1)(b), Sch. 26 para. 17(4), **Sch. 28** (with reg. 1(2), Sch. 4)
- F2** Words in s. 196(1) inserted (26.1.2009) by [Climate Change Act 2008 \(c. 27\)](#), s. 100(5), **Sch. 7 para. 7(4)**
- F3** Words in s. 196(1) substituted (1.10.2009) by [The Companies Act 2006 \(Consequential Amendments, Transitional Provisions and Savings\) Order 2009 \(S.I. 2009/1941\)](#), art. 1(2), **Sch. 1 para. 220(7)** (with art. 10)

#### Modifications etc. (not altering text)

- C1** S. 196 applied (with modifications) (18.12.2011) by [Energy Act 2011 \(c. 16\)](#), **ss. 96(5)(6)**, 121(3)
- C2** S. 196 applied (with modifications) (E.W.S.) (23.7.2018) by [Smart Meters Act 2018 \(c. 14\)](#), **ss. 4(5)(6)**, 14(5)
- C3** S. 196 applied (31.3.2022 for specified purposes, 1.6.2022 in so far as not already in force) by [Nuclear Energy \(Financing\) Act 2022 \(c. 15\)](#), **ss. 33(6)**, 44(1)(c)(2)(c)
- C4** Ss. 171-196 power to apply (with modifications) conferred (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), s. 334(2)(l), **Sch. 18 para. 50**
- C5** S. 196 applied (with modifications) (26.12.2023) by [Energy Act 2023 \(c. 52\)](#), **ss. 44(5)(6)**, 334(3)(a)

#### Commencement Information

- I1** S. 196 in force at 24.8.2004 for specified purposes by [S.I. 2004/2184](#), art. 2(1), **Sch. 1**
- I2** S. 196 in force at 5.10.2004 in so far as not already in force by [S.I. 2004/2575](#), art. 2(1), **Sch. 1**

**Changes to legislation:**

Energy Act 2004, Section 196 is up to date with all changes known to be in force on or before 20 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. 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\(2\)\(b\)](#)