

*These notes refer to the Energy Act 2008 (c.32)
which received Royal Assent on 26 November 2008*

ENERGY ACT 2008

EXPLANATORY NOTES

Part 5: Miscellaneous

Smart Meters

Commentary on Sections

Section 89: Power to amend licence conditions etc: Procedure

474. This section sets out the procedure that the Secretary of State must comply with in order to exercise the modification powers conferred by section 88. *Subsection (1)* obliges the Secretary of State, before making modifications, to consult the holders of licences being modified, the Gas and Electricity Markets Authority and others as appropriate. This consultation may take place before or after the passing of the Act. *Subsections (3) and (4)* state that before making modifications the Secretary of State must lay the draft modifications before Parliament and allow a period of 40 days for either House of Parliament to reject the draft.