
Changes to legislation: There are currently no known outstanding effects for the Energy Act 2008, Cross Heading: Energy Act 2004 (c. 20). (See end of Document for details)

SCHEDULES

SCHEDULE 1

AMENDMENTS RELATING TO CHAPTERS 2 AND 3 OF PART 1

Energy Act 2004 (c. 20)

- 13 In section 188 of the Energy Act 2004 (power to impose charges to fund energy functions)—
- (a) in subsection (7), after paragraph (l) insert—
 - “(m) Chapter 2 of Part 1 of the Energy Act 2008.”,
 - (b) in that subsection, after paragraph (m) (inserted by paragraph (a)) insert—
 - “(n) Chapter 3 of Part 1 of the Energy Act 2008.”,
 - (c) in subsection (8), after paragraph (d) insert—
 - “(da) any activity for which a licence under Chapter 2 of Part 1 of the Energy Act 2008 is required;”, and
 - (d) in that subsection, after paragraph (da) (inserted by paragraph (c)) insert—
 - “(db) any activity for which a licence under Chapter 3 of Part 1 of the Energy Act 2008 is required;”.
 - (e) after subsection (11) insert—
 - “(12) This section applies in relation to the Scottish Ministers as it applies in relation to the Secretary of State, and in its application to the Scottish Ministers it is to be read as if for subsections (6) and (7) there were substituted—
 - “(6) Regulations under this section must be made by statutory instrument and are subject to annulment in pursuance of a resolution of the Scottish Parliament.
 - (7) Section 192(4) applies in relation to the power of the Scottish Ministers to make regulations under subsection (6) as it applies in relation to an order or regulations made by the Secretary of State or the Treasury.
 - (7A) The references in this section to relevant energy functions are references to the functions of the Scottish Ministers under—
 - (a) Chapter 3 of Part 1 of the Energy Act 2008, or
 - (b) so much of any [F¹EU] instrument as has effect in connection with—
 - (i) any activity mentioned in subsection (8) (db), or
 - (ii) any activity mentioned in subsection (8) (h) to the extent that the activity is

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carried on in connection with an activity mentioned in subsection (8)(db).”

and as if the reference in subsection (11) to the Consolidated Fund were a reference to the Scottish Consolidated Fund.”

Textual Amendments

F1 Words in Act substituted (22.4.2011) by [The Treaty of Lisbon \(Changes in Terminology\) Order 2011 \(S.I. 2011/1043\)](#), [arts. 3, 6](#) (with [arts. 3\(2\)\(3\), 4\(2\), 6\(4\)\(5\)](#))

Commencement Information

I1 Sch. 1 para. 13 in force at 6.4.2009 by [S.I. 2009/45](#), [art. 4\(a\)\(iii\)](#)

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