

# ENERGY ACT 2011

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## EXPLANATORY NOTES

### COMMENTARY ON SECTIONS

#### Part 5: Miscellaneous and General

#### Commencement

##### *Section 121: Commencement*

350. This section sets out the commencement dates for the provisions in the Act. *Subsection (1)* provides for provisions other than those listed in subsections (2) to (5) to come into force, by order, on a day appointed by Secretary of State.
351. *Subsection (2)* provides that the following provisions will come into force, by order, on a day appointed by Scottish Ministers:
- section 10, relating to documents containing information about green deal plans in Scotland;
  - sections 14(6) to (8) and 15(4), relating to acknowledgment of green deal plans in respect of property in Scotland;
  - section 35(6), relating to green deal appeals: revocation or amendment of delegated legislation by Scottish Ministers;
  - sections 54 to 65, relating to the private rented sector in Scotland; and
  - section 75, relating to access to the register of energy performance certificates in Scotland.
352. *Subsection (3)* provides for certain provisions to come into force two months after the Act receives Royal Assent. These are:
- sections 66 to 72 (reducing carbon emissions and home-heating costs);
  - section 73 (smart meters);
  - sections 74 (access to the register of energy performance certificates in England and Wales);
  - sections 76 to 78 (information about energy tariffs);
  - sections 79 to 80 (security of energy supplies);
  - sections 93 to 102 (special administration);
  - section 103 (designations under the Continental Shelf Act 1964);
  - subsection (3) of section 104 (offshore transmission and distribution of electricity);
  - section 105 (regulation of security of nuclear construction sites);

*These notes refer to the Energy Act 2011 (c.16)  
which received Royal Assent on 18 October 2011*

- section 106 (agreement about modifying a decommissioning programme);
  - section 107 (abandonment: infrastructure converted for CCS demonstration projects);
  - section 111 (adjustment of electricity transmission charges);
  - section 112 (electricity from renewable sources: National Park authorities and Broads Authority); and
  - sections 113 and 114 (renewable heat incentives in Northern Ireland).
353. Under *subsection (4)*, section 37 (preparatory expenditure: framework regulations); section 81 (modification of the Uniform Network Code), subsections (1) and (2) of section 104 (offshore transmission and distribution of electricity) and sections 119 to 122 (general provisions) will come into force on the day the Act receives Royal Assent.
354. *Subsection (5)* provides for the commencement of Schedule 1 (reducing carbon emissions and home-heating costs: minor and consequential amendments). Paragraphs 1, 2, 7, 8(1), (2)(a), (3)(a) and (4) and 9 will commence two months after Royal Assent. Paragraphs 4 and 8(2)(b), (3)(b) and (5) will come into force on 1 January 2013. Paragraphs 3, 5 and 6 of Schedule 1 will come into force on 6 April 2014.
355. *Subsection (6)* provides that an order made by the Secretary of State or the Scottish Ministers under this section may appoint different days for different purposes and make transitional provisions and savings.

***Section 122: Short title***

356. This section confirms the title of the Act once Royal Assent of the Act is achieved.