



# Smart Meters Act 2018

## 2018 CHAPTER 14

### *Special administration regime*

#### **4 Application of certain provisions of the Energy Act 2004**

- (1) Sections 156 to 167 of, and Schedules 20 and 21 to, the Energy Act 2004 (special administration regime for energy licensees) apply in relation to an smcl administration order as they apply in relation to an energy administration order within the meaning given by section 154(1) of that Act, but with the modifications set out in subsections (2) to (4).
- (2) In the application of those provisions generally—
  - (a) for “energy administration”, in each place where it occurs, substitute “ smart meter communication licensee administration ”;
  - (b) for “energy administrator”, in each place where it occurs, substitute “ smart meter communication administrator ”;
  - (c) for “a protected energy company”, in each place where it occurs, substitute “ a smart meter communication licensee ”.
- (3) In the application of Schedule 20—
  - (a) in paragraph 32(1)(d), for the words from “ “energy administration application”” to “Energy Act 2004” substitute “ “smart meter communication licensee administration application” means an application to the court for a smart meter communication licensee administration order under Chapter 3 of Part 3 of the Energy Act 2004, as applied by section 4 of the Smart Meters Act 2018 ”;
  - (b) in paragraph 32(1)(e), for “section 155 of the Energy Act 2004” substitute “ section 3 of the Smart Meters Act 2018 ”;
  - (c) in paragraph 36, for “section 154(4) of this Act” substitute “ section 2(4) of the Smart Meters Act 2018 ”;
  - (d) in paragraph 43, after “the Energy Act 2004” insert “ and section 4 of the Smart Meters Act 2018 ”;
  - (e) in paragraph 44(5), after “the Energy Act 2004” insert “ and section 4 of the Smart Meters Act 2018 ”;

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*Changes to legislation: There are currently no known outstanding effects for the Smart Meters Act 2018, Section 4. (See end of Document for details)*

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- (f) in paragraph 45, after “section 157(1)(e) of this Act” insert “ as applied by section 4 of the Smart Meters Act 2018 ”;
  - (g) omit paragraph 46 (but see section 9 of this Act);
  - (h) in paragraph 47, after “Part 1 of this Schedule” insert “ and section 4 of the Smart Meters Act 2018 ”.
- (4) In the application of Schedule 21—
- (a) for “old energy company”, in each place where it occurs, substitute “ old licensee ”;
  - (b) for “new energy company”, in each place where it occurs, substitute “ new licensee ”;
  - (c) in paragraph 1(b), for “section 155(3)” substitute “ section 3(3) of the Smart Meters Act 2018 ”;
  - (d) in paragraph 12, for “section 155” substitute “ section 3 of the Smart Meters Act 2018 ”.
- (5) Sections 171 and 196 of the Energy Act 2004 (interpretation) apply for the purposes of the application by subsection (1) of the provisions mentioned in that subsection, but with the modifications set out in subsection (6).
- (6) In the application of section 171(1)—
- (a) insert, at the appropriate places, the following definitions—
    - ““objective of the smart meter communication licensee administration” is to be construed in accordance with section 3 of the Smart Meters Act 2018;”;
    - ““smart meter communication licensee” has the meaning given by section 2(5) of the Smart Meters Act 2018;”;
    - ““smart meter communication licensee administration order” has the meaning given by section 2(1) of the Smart Meters Act 2018;”;
    - ““smart meter communication licensee administration rules” means rules made under section 411 of the 1986 Act by virtue of section 159(3) of this Act, for the purpose of giving effect to this Chapter as applied by section 4 of the Smart Meters Act 2018;”;
  - (b) for the definition of “energy administrator” substitute—
    - ““smart meter communication administrator” has the meaning given in section 10 of the Smart Meters Act 2018”;
  - (c) for the definition of “relevant licence” substitute—
    - ““relevant licence” means either of the relevant licences within the meaning given by section 2(5) of the Smart Meters Act 2018.”

**Changes to legislation:**

There are currently no known outstanding effects for the Smart Meters Act 2018, Section 4.