



Energy Act 2023

CHAPTER 52

ENERGY ACT 2023

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Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023. (See end of Document for details)

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Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023. (See end of Document for details)

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- 3 In section 5 (annual and other reports of Authority), after...
- 4 In section 5XA (laying of accounts before Scottish Parliament and...
- 5 In section 105 (general restrictions on disclosure of information)—
- 6 Enterprise Act 2002
- 7 In section 136 (investigations and reports on market investigation references),...
- 8 (1) Section 168 (regulated markets) is amended as follows.
- 9 Enterprise and Regulatory Reform Act 2013

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Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023. (See end of Document for details)

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 - 5 In section 5 (exemptions from prohibition), in subsection (1), after...

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023. (See end of Document for details)

- 6 In section 10 (powers etc of licence holders), in subsection...
- 7 In section 49 (keeping of register), in subsection (2)(c), after...
- 8 Utilities Act 2000

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- 10 (1) The GEMA may modify a scheme under paragraph 8....
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- 3 (1) Section 28 (orders for securing compliance with certain provisions)...
- 4 In Schedule 4B (provisions imposing obligations enforceable as relevant requirements),...
- 5 Electricity Act 1989
- 6 In section 5(1) (power to grant exemptions from prohibition), for...
- 7 (1) Section 25 (orders for securing compliance) is amended as...
- 8 In Schedule 6A (provisions imposing obligations enforceable as relevant requirements),...
- 9 Energy Act 2004
- 10 In section 173 (appeals to the Competition and Markets Authority),...
- 11 (1) Schedule 22 (procedure for appeals under section 173) is...
- 12 Energy Act 2023

Schedule 15 — Competitive tenders for electricity projects

Part 1 — AMENDMENTS OF ELECTRICITY ACT 1989

- 1 The Electricity Act 1989 is amended as follows.
- 2 After section 6B insert— Meaning of “relevant electricity project”, “relevant...”
- 3 For sections 6C and 6D substitute— Competitive tenders (1) The Authority may by regulations (“tender regulations”) make such...

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- 4 In section 6E (property schemes)— (a) for “offshore transmission licences”...
 - 5 (1) Section 6F (offshore transmission during commissioning period) is amended...
 - 6 (1) Section 6G (meaning of “commissioning period”) is amended as...
 - 7 (1) Section 6H (modification of codes or agreements) is amended...
 - 8 In section 11A (modification of conditions of licences), after subsection...
 - 9 In section 64(1) (interpretation etc of Part 1), at the...
 - 10 Schedule 2A (property schemes) is amended in accordance with paragraphs...
 - 11 For paragraph 1 substitute— Scheme-making power (1) This paragraph applies where a tender exercise is held...
 - 12 In paragraph 2, at the end insert—
 - 13 Omit paragraph 5.
 - 14 In paragraph 12, for “operational purposes” substitute “construction, commissioning or...”
 - 15 For paragraph 13 substitute— On an application for a property scheme, no scheme may...
 - 16 In paragraph 14— (a) in sub-paragraph (4), for “operational purposes”...
 - 17 In paragraph 15(2), for “operational purposes” substitute “construction, commissioning or...”
 - 18 Omit paragraph 16(1)(d).
 - 19 In paragraph 25(2), for “operational purposes” substitute “construction, commissioning or...”
 - 20 In paragraph 30, for “operational purposes” substitute “construction, commissioning or...”
 - 21 (1) Paragraph 35 is amended as follows.
 - 22 In paragraph 36— (a) omit sub-paragraph (1);
 - 23 After paragraph 36 insert— Transmission owner and distribution network owner...
 - 24 In paragraph 38(1)— (a) at the appropriate place insert— “construction,...
 - 25 (1) In Schedule 4 (powers of licence holders), paragraph 6...
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 - 26 Utilities Act 2000
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- 1 Part 3 of the Enterprise Act 2002 (mergers) is amended...
 - 2 After section 68 insert— Mergers of energy network enterprises in...
 - 3 After Schedule 5 insert— Schedule 5A Energy network mergers affecting...
- Part 2 — CONSEQUENTIAL AMENDMENTS OF PART 3 OF ENTERPRISE ACT 2002
- 4 Part 3 of the Enterprise Act 2002 is amended as...
 - 5 (1) Section 22 (duty to make references in relation to...
 - 6 In section 33(3)(c) (circumstances in which references in relation to...
 - 7 (1) Section 42 (intervention by Secretary of State in certain...
 - 8 In section 56(2) (competition cases where intervention on public interest...
 - 9 In section 57(1) (duties of CMA and OFCOM to inform...

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023. (See end of Document for details)

- 10 In the italic heading at the beginning of Chapter 4,...
- 11 (1) Section 72 (initial enforcement orders: completed or anticipated mergers)...
- 12 (1) Section 73 (undertakings in lieu of references) is amended...
- 13 (1) Section 73A (time-limits for consideration of undertakings) is amended...
- 14 (1) Section 74 (effect of undertakings under section 73) is...
- 15 In section 77(1)(a) (restrictions on certain dealings: completed mergers), after...
- 16 In section 78(1)(a) (restrictions on certain share dealings: anticipated mergers),...
- 17 In section 79(1) and (2) (sections 77 and 78: further...
- 18 In section 80(1), (7) and (8) (interim undertakings), for “or...
- 19 In section 81(1), (7) and (8) (interim orders), for “or...
- 20 In section 82(3) and (4) (final undertakings), for “or 33”...
- 21 In section 84(5) (final orders), for “or 33” substitute “,...
- 22 (1) Section 100 (exceptions to protection given by merger notices)...
- 23 In section 104(6) (certain duties of relevant authorities to consult),...
- 24 In section 105(1) (general information duties of CMA), for “or...
- 25 (1) Section 106 (advice and information about references) is amended...
- 26 (1) Section 107 (further publicity requirements) is amended as follows....
- 27 In section 109(A1)(a) (attendance of witnesses and production of documents)...
- 28 In section 110A(5) and (6) (restriction on powers to impose...
- 29 In section 110B(1) and (2) (restriction on powers to impose...
- 30 In section 121(3)(a) (fees), for “or 33” substitute “, 33,...
- 31 In section 124(5) (orders and regulations), at the beginning insert...
- 32 In section 127(3) (associated person), for “or 62” substitute “,...
- 33 (1) The table in section 130 (index of defined expressions)...
- 34 (1) Schedule 7 (enforcement regime for public interest and special...
Part 3 — CONSEQUENTIAL AMENDMENTS OF OTHER ENACTMENTS
- 35 Utilities Act 2000
- 36 Enterprise and Regulatory Reform Act 2013

Schedule 17 — Multi-purpose interconnectors: consequential amendments

- 1 The Electricity Act 1989
- 2 In section 3A (principal objective and general duties of Secretary...
- 3 In section 3F(2) (Gas and Electricity Markets Authority to cooperate...
- 4 In section 7 (conditions of licences: general)—
- 5 In section 29 (regulations relating to supply and safety)—
- 6 In section 30 (electrical inspectors), in subsection (2)(a), after “interconnectors”...
- 7 In section 43 (functions with respect to competition)—
- 8 In subsection 44B (meaning of “section 44B dispute”), in subsection...
- 9 In section 56A(4) (scope of power to alter activities requiring...
- 10 In section 58(2) (direction restricting the use of certain information),...
- 11 In section 98(1) (provision of statistical information), after “interconnectors” insert...
- 12 Scotland Act 1998
- 13 Utilities Act 2000
- 14 Energy Act 2004
- 15 Civil Contingencies Act 2004

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023. (See end of Document for details)

- 16 Consumers, Estate Agents and Redress Act 2007
- 17 Energy Act 2013
- 18 Regulation (EU) 2019/943 of the European Parliament and of the Council of 5th June 2019 on the internal market for electricity (recast)
- 19 United Kingdom Internal Market Act 2020

- Schedule 18 — Heat networks regulation
 - Part 1 — INTERPRETATION
 - 1 In this Schedule— “code manager licence” has the meaning given...
 - Part 2 — GENERAL PROVISION AS TO THE REGULATOR
 - 2 Objectives
 - 3 General duties
 - 4 (1) The regulations may provide for the Regulator to have...
 - 5 Delegation of functions
 - 6 Monitoring, records and information
 - 7 (1) The regulations may require the Regulator to collect information...
 - 8 (1) The regulations may make provision requiring the Regulator to...
 - 9 (1) The regulations may make provision restricting the disclosure of...
 - 10 (1) The regulations may make provision for the purpose of...
 - 11 Other general provision
 - Part 3 — HEAT NETWORK AUTHORISATIONS
 - 12 Prohibition from carrying on regulated activity
 - 13 Heat network authorisations
 - 14 (1) The regulations may make provision about the conditions to...
 - 15 Conditions about technical standards: further provision
 - 16 Conditions about continuity of supply: further provision
 - 17 Conditions of the sort referred to in paragraph 14(4)(f) may,...
 - 18 Modification of heat network authorisations
 - 19 Review and revocation of heat network authorisations
 - 20 (1) The regulations may provide— (a) for the revocation of...
 - 21 Initial period
 - Part 4 — CODE GOVERNANCE
 - 22 Designated documents
 - 23 Prohibition on performing the function of a code manager
 - 24 Licensed code managers
 - 25 (1) The regulations may, in relation to England and Wales...
 - 26 (1) The regulations may make provision about the contents of...
 - 27 The regulations may provide for the Regulator to make payments...
 - 28 (1) The regulations may provide for the modification by the...
 - 29 Review and revocation of code manager licences
 - 30 (1) The regulations may provide— (a) for the revocation of...
 - Part 5 — INSTALLATION AND MAINTENANCE LICENCES
 - 31 Installation and maintenance licences
 - 32 Rights that may be conferred
 - 33 Further provision about installation and maintenance licences
 - 34 (1) The regulations may provide for the modification by the...
 - 35 Review and revocation of installation and maintenance licences
 - 36 (1) The regulations may provide— (a) for the revocation of...
 - Part 6 — ENFORCEMENT OF CONDITIONS AND REQUIREMENTS
 - 37 Methods of enforcement
 - 38 Final and provisional orders
 - 39 Penalties
 - 40 Consumer redress orders

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023. (See end of Document for details)

- 41 Functions under Part 1 of the Competition Act 1998 and Part 4 of the Enterprise Act 2002
 - Part 7 — INVESTIGATION
 - 42 Investigation of charges
 - 43 Powers to require information etc
 - Part 8 — STEP-IN ARRANGEMENTS
 - 44 The regulations may make provision for, or in connection with,...
 - 45 (1) The regulations may provide for the Regulator to make...
 - 46 (1) The regulations may— (a) provide for the old entity...
 - Part 9 — SPECIAL ADMINISTRATION REGIME
 - 47 The regulations may make provision for, or in connection with,...
 - 48 (1) The regulations may make provision for a court to...
 - 49 (1) The regulations may make provision about the objectives of...
 - 50 (1) The regulations may make provision for applying, with such...
 - 51 In this Part— “company” means— a company registered under the...
 - Part 10 — SUPPLY TO PREMISES
 - 52 (1) The regulations may make provision about—
 - 53 The regulations may— (a) impose duties, in circumstances specified by...
 - 54 The regulations may— (a) make provision as to the meters...
 - 55 The regulations may— (a) prohibit the making of a charge...
 - 56 The regulations may— (a) confer powers to enter premises for...
 - 57 The regulations may revoke or amend the Heat Network (Metering...
 - Part 11 — CONSUMER PROTECTION
 - 58 Standards of performance
 - 59 (1) The regulations may provide for the Regulator, from time...
 - 60 (1) The regulations may make provision about the steps to...
 - 61 Consumer advocacy bodies
 - 62 Complaints handling and redress schemes
 - 63 Consumer complaints and dispute resolution arrangements: Northern Ireland
 - 64 The regulations may, in relation to Northern Ireland, make provision...
 - 65 Documents for Citizens Advice, Consumer Scotland and the General Consumer Council for Northern Ireland
 - Part 12 — FINANCIAL ARRANGEMENTS
 - 66 (1) The regulations may provide for the Regulator to include...
 - 67 (1) The regulations may provide for the Regulator to include...
 - 68 The regulations may make provision for the Regulator to pay...
 - Part 13 — MISCELLANEOUS AND GENERAL
 - 69 Consultation and cooperation
 - 70 The regulations may require the Regulator to assist a public...
 - 71 Objectives of the Secretary of State and the Department
 - 72 Offences
 - 73 (1) The regulations may provide for an offence created by...
 - 74 Crown application
- Schedule 19 — Licensing of activities relating to load control
- 1 The Electricity Act 1989 is amended as follows.
 - 2 After section 56FB insert— New licensable activities: load control of...
 - 3 At the end of section 56FC(2) (competitive tenders: definition of...
 - 4 In section 106(2)(a) (regulations and orders), after “State” insert “(other...

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023. (See end of Document for details)

Schedule 20 — Enforcement undertakings

- 1 Procedure
- 2 Variation of terms
- 3 Compliance certificates
- 4 Inaccurate, incomplete or misleading information
- 5 Appeal against decision under paragraph 3 or 4

Schedule 21 — Petroleum licences: amendments to model clauses

Part 1 — PETROLEUM (PRODUCTION) (LANDWARD AREAS) REGULATIONS 1995

- 1 In the Petroleum (Production) (Landward Areas) Regulations 1995 (S.I. 1995/1436),...
 - 2 After clause 37 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
 - 3 (1) Clause 38 (power of revocation) is amended as follows....
 - 4 (1) Clause 38A (power of partial revocation) is amended as...
- ### Part 2 — PETROLEUM (CURRENT MODEL CLAUSES) ORDER 1999
- 5 Introduction
 - 6 Part 2 of Schedule 2
 - 7 After clause 38 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
 - 8 (1) Clause 39 (power of revocation) is amended as follows....
 - 9 (1) Clause 39A (power of partial revocation) is amended as...
 - 10 Part 2 of Schedule 3
 - 11 After clause 36 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
 - 12 (1) Clause 37 (power of revocation) is amended as follows....
 - 13 (1) Clause 37A (power of partial revocation) is amended as...
 - 14 Part 2 of Schedule 4
 - 15 After clause 37 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
 - 16 (1) Clause 38 (power of revocation) is amended as follows....
 - 17 (1) Clause 38A (power of partial revocation) is amended as...
 - 18 Part 2 of Schedule 5
 - 19 After clause 39 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
 - 20 (1) Clause 40 (power of revocation) is amended as follows....
 - 21 (1) Clause 40A (power of partial revocation) is amended as...
 - 22 Part 2 of Schedule 6
 - 23 After clause 38 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
 - 24 (1) Clause 39 (power of revocation) is amended as follows....
 - 25 (1) Clause 39A (power of partial revocation) is amended as...
 - 26 Part 2 of Schedule 8
 - 27 After clause 35 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
 - 28 (1) Clause 36 (power of revocation) is amended as follows....
 - 29 (1) Clause 36A (power of partial revocation) is amended as...
 - 30 Part 2 of Schedule 9
 - 31 After clause 41 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
 - 32 (1) Clause 42 (power of revocation) is amended as follows....
 - 33 (1) Clause 42A (power of partial revocation) is amended as...

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023. (See end of Document for details)

- 34 Part 2 of Schedule 10
- 35 After clause 41 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
- 36 (1) Clause 42 (power of revocation) is amended as follows....
- 37 (1) Clause 42A (power of partial revocation) is amended as...
- 38 Part 2 of Schedule 13
- 39 After clause 32 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
- 40 (1) Clause 33 (power of revocation) is amended as follows....
- 41 (1) Clause 33A (power of partial revocation) is amended as...
- 42 Part 2 of Schedule 14
- 43 After clause 34 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
- 44 (1) Clause 35 (power of revocation) is amended as follows....
- 45 (1) Clause 35A (power of partial revocation) is amended as...
 - Part 3 — PETROLEUM LICENSING (EXPLORATION AND PRODUCTION) (SEAWARD AND LANDWARD AREAS) REGULATIONS 2004
- 46 Introduction
- 47 Schedule 2
- 48 After clause 37 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
- 49 (1) Clause 38 (power of revocation) is amended as follows....
- 50 (1) Clause 38A (power of partial revocation) is amended as...
- 51 Schedule 3
- 52 After clause 38 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
- 53 (1) Clause 39 (power of revocation) is amended as follows....
- 54 (1) Clause 39A (power of partial revocation) is amended as...
- 55 Schedule 4
- 56 After clause 36 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
- 57 (1) Clause 37 (power of revocation) is amended as follows....
- 58 (1) Clause 37A (power of partial revocation) is amended as...
- 59 Schedule 6
- 60 After clause 35 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
- 61 (1) Clause 36 (power of revocation) is amended as follows....
- 62 (1) Clause 36A (power of partial revocation) is amended as...
 - Part 4 — PETROLEUM LICENSING (PRODUCTION) (SEAWARD AREAS) REGULATIONS 2008
- 63 In the Petroleum Licensing (Production) (Seaward Areas) Regulations 2008 (S.I....
- 64 After clause 40 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
- 65 (1) Clause 41 (power of revocation) is amended as follows....
- 66 (1) Clause 42 (power of partial revocation) is amended as...
 - Part 5 — PETROLEUM LICENSING (EXPLORATION AND PRODUCTION) (LANDWARD AREAS) REGULATIONS 2014
- 67 In the Petroleum Licensing (Exploration and Production) (Landward Areas) Regulations...
- 68 After clause 40 insert— Change in control of Licensee (1) This clause applies if— (a) the Licensee is a...
- 69 (1) Clause 41 (power of revocation) is amended as follows....

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023. (See end of Document for details)

70 (1) Clause 42 (power of partial revocation) is amended as...

Schedule 22 — Accession to Convention on Supplementary Compensation for Nuclear Damage

- 1 In section 13 of the Nuclear Installations Act 1965 (“the...
- 2 (1) Section 16 of the 1965 Act (satisfaction of claims)...
- 3 In section 16A of the 1965 Act (section 16: supplementary),...
- 4 After section 16A of the 1965 Act insert— Section 16:...
- 5 In section 17 of 1965 Act (jurisdiction, shared liability and...
- 6 (1) Section 18 of the 1965 Act (general cover for...
- 7 After section 25B of the 1965 Act (amounts in euros)...
- 8 (1) Section 26 of the 1965 Act (interpretation) is amended...

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023.