



Energy Act 2023

2023 CHAPTER 52

PART 5

INDEPENDENT SYSTEM OPERATOR AND PLANNER

Transfers, pensions and financial assistance

174 Transfers

[Schedule 9](#) contains—

- (a) in [Part 1](#), provision about transfer schemes relating to the ISOP;
- (b) in [Part 2](#), related provision about transfers and other provision in connection with the designation of a person as the ISOP.

Commencement Information

- II** S. 174 in force at Royal Assent, see [s. 334\(2\)\(h\)\(ii\)](#)

175 Pension arrangements

[Schedule 10](#) contains provision about pension arrangements in connection with the ISOP.

Commencement Information

- I2** S. 175 in force at Royal Assent, see [s. 334\(2\)\(h\)\(ii\)](#)

176 Financial assistance for the ISOP

- (1) The Secretary of State may provide financial assistance to the ISOP.

*Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023,
 Cross Heading: Transfers, pensions and financial assistance. (See end of Document for details)*

- (2) Financial assistance under this section may be provided in any form and in particular may be provided by way of—
- (a) grant,
 - (b) loan,
 - (c) guarantee or indemnity, or
 - (d) the acquisition of shares or any other interest in, or securities of, a body corporate.
- (3) Financial assistance under this section may be provided subject to such conditions as the Secretary of State considers appropriate (which may include conditions about repayment with or without interest or other return).

Commencement Information

- I3** S. 176 not in force at Royal Assent, see [s. 334\(1\)](#)
I4 S. 176 in force at 31.1.2024 by [S.I. 2024/32, reg. 3\(a\)\(vii\)](#)

177 Cross-sectoral funding

- (1) In section 7 of the Electricity Act 1989 (conditions of licences: general), in subsection (3A)—
- (a) for “or a distribution licence” substitute “, a distribution licence or an electricity system operator licence”;
 - (b) in paragraph (a), for “his charges for the transmission or distribution of electricity” substitute “the charges payable to the holder in connection with the transmission or distribution of electricity, or in connection with the exercise of any other functions under or by virtue of the licence,”;
 - (c) in paragraph (b), for “licence holders” substitute “holders of licences under section 6 or under Part 1 of the Gas Act 1986”.
- (2) In section 9 of that Act (general duties of licence holders), after subsection (2A) insert—
- “(2B) The conditions of a licence held by a person to which a duty imposed by subsection (1) or (2) applies may include a condition requiring the person, in performing the duty, to have regard to the interests of existing and future consumers in relation to gas conveyed through pipes (within the meaning of the Gas Act 1986).”
- (3) In section 7B of the Gas Act 1986 (licences: general), in subsection (5)(b)—
- (a) after “section 7” insert “or 7AA”;
 - (b) in sub-paragraph (i), for “his charges for the conveyance of gas” substitute “the charges payable to the holder in connection with the conveyance of gas, or in connection with the exercise of any other functions under or by virtue of the licence,”;
 - (c) in sub-paragraph (ii), for the words from “licences under” to “above” substitute “licences under [this Part](#) or under section 6 of the Electricity Act 1989”.
- (4) In section 9 of that Act (general powers and duties of gas transporters), after subsection (2) insert—

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“(2A) The conditions of a licence held by a gas transporter may include a condition requiring the gas transporter, in performing a duty under subsection (1), (1A) or (2), to have regard to the interests of existing and future consumers in relation to electricity conveyed by distribution systems or transmission systems (within the meaning of the Electricity Act 1989).”

Commencement Information

- I5** S. 177 not in force at Royal Assent, see [s. 334\(1\)](#)
I6 S. 177 in force at 31.1.2024 by [S.I. 2024/32, reg. 3\(a\)\(vii\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Cross Heading: Transfers, pensions and financial assistance.