



Energy Act 2023

2023 CHAPTER 52

PART 5

INDEPENDENT SYSTEM OPERATOR AND PLANNER

Transfers, pensions and financial assistance

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,

Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 177. (See end of Document for details)

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—

“(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

- I1** S. 177 not in force at Royal Assent, see [s. 334\(1\)](#)
I2 [S. 177](#) in force at 31.1.2024 by [S.I. 2024/32](#), [reg. 3\(a\)\(vii\)](#)

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