
STATUTORY INSTRUMENTS

2000 No. 2412 (C. 67)

**ELECTRICITY
GAS**

**The Utilities Act 2000 (Commencement
No. 1 and Saving) Order 2000**

Made - - - - 6th September 2000

The Secretary of State, in exercise of the powers conferred on him by section 110 of the Utilities Act 2000(1), hereby makes the following Order:—

Citation and interpretation

1.—(1) This Order may be cited as the Utilities Act 2000 (Commencement No. 1 and Saving) Order 2000.

(2) In this Order:

“the Act” means the Utilities Act 2000; and

“the Electricity Act” means the Electricity Act 1989(2).

(3) In this Order (save where the context otherwise requires) references to sections are references to sections of the Act.

Provisions of the Act commenced by this Order

2. 29th September 2000 is the appointed day for the coming into force of the provisions of the Act listed in the first column of the Schedule to this Order for the purposes set out in the second column.

3.—(1) Subject to paragraph (2) below, section 66 of the Act shall come into force on 21st November 2000.

(2) Where an Order is or has been made under section 67 of the Act which provides that section 33 of the Electricity Act is to continue to have effect (either with or without modification) despite its repeal by section 66 of the Act, any regulations made under section 33 of the Electricity Act before 21st November 2000 shall also continue to have effect as if section 33 had not been repealed.

(1) 2000 c. 27.
(2) 1989 c. 29.

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6th September 2000

Patricia Hewitt,
Minister for Small Business and E-Commerce,
Department of Trade and Industry

SCHEDULE

Article 2

**PROVISIONS OF THE UTILITIES ACT 2000
COMING INTO FORCE ON 29TH SEPTEMBER 2000**

<i>Provisions of the Act</i>	<i>Purpose</i>
Section 27 (regulations relating to provision of information under sections 24 to 26)	In so far as it relates to the making of regulations by the Secretary of State
Section 67 (power to make saving and supplementary provisions relating to sections 32 and 33 of the Electricity Act)	For all purposes
Section 106 (interpretation)	For all purposes
Section 107 (financial provisions)	For all purposes
Section 109 (power to make transitional provision etc.)	For all purposes

EXPLANATORY NOTE

(This note is not part of the Order)

This is the first Commencement Order made under the Utilities Act 2000 (“the Act”). Sections 68 and 110 came into force on the passing of the Act.

Article 2 of the Order brings into force on 29th September 2000 certain provisions of the Act.

Article 2 brings into force section 27 in so far as this section relates to the making of regulations by the Secretary of State. Section 27(1) enables the Secretary of State to make regulations prescribing descriptions of information which the Gas and Electricity Markets Authority, a licence holder or the Gas and Electricity Consumer Council may refuse to supply under section 24 or 26 or prescribing the circumstances in which the Authority, a licence holder or the Council may refuse to comply with a direction under section 24 or 26. Under section 27(3) regulations may also appoint a person to determine disputes arising from a failure to provide information.

Section 67 of the Act which article 2 brings into force creates an order making power for the Secretary of State to make saving and supplementary provision relating to sections 32 and 33 of the Electricity Act 1989.

Article 2 also brings into force section 106 (which deals with interpretation), section 107 (relating to financial provisions) and section 109 (the power to make transitional provision etc.).

Article 3 of the Order brings into force, on 21st November 2000, section 66 of the Act.

Section 66 of the Act repeals section 33 of the Electricity Act 1989 which relates to the fossil fuel levy. Article 3(2) of this Order includes a saving provision with the effect that where an Order providing for section 33 of the Electricity Act 1989 to continue to have effect (despite its repeal) is made under section 67 of the Act, then any regulations made under section 33 before 21st November 2000 shall also continue to have effect. This saving makes provision for continuity in the collection of and payments out of the fossil fuel levy beyond 21st November 2000.

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