
STATUTORY INSTRUMENTS

2006 No. 1521

ELECTRICITY

**The Electricity Safety, Quality and
Continuity (Amendment) Regulations 2006**

<i>Made</i>	- - - -	<i>13th June 2006</i>
<i>Laid before Parliament</i>		<i>15th June 2006</i>
<i>Coming into force</i>	- -	<i>1st October 2006</i>

The Secretary of State makes the following Regulations in exercise of his powers under sections 29, 30(3) and (3A), and 60 of the Electricity Act 1989⁽¹⁾:—

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Electricity Safety, Quality and Continuity (Amendment) Regulations 2006 and shall come into force on 1st October 2006.

(2) In these Regulations—

- (a) “the ESQCR” means the Electricity Safety, Quality and Continuity Regulations 2002⁽²⁾; and
- (b) unless the context otherwise requires, any reference to a numbered regulation or paragraph is a reference to a regulation or paragraph bearing that number in the ESQCR.

Amendment to British Standard Requirements

2. In regulation 1(5), in the definition of “British Standard Requirements”, after “February 2002” insert “and as further amended by Amendment No. 2 (AMD 14905) March 2004”.

Application of ESQCR to tramways etc.

3. In regulation 1(5)—

- (a) in each of the definitions of “consumer” and “distributor”, after “1993” insert “or an operator of a tramway, a trolley vehicle system or guided transport”; and
- (b) at the end of the definition of “switching device”, delete the word “and” and insert—

(1) 1989 c. 29; sections 29 and 30 of the Electricity Act 1989 were amended by section 94 of the Energy Act 2004 (c. 20).
(2) S.I. 2002/2665.

““tramway”, “trolley vehicle system” and “guided transport” have the same meanings as in section 67(1) of the Transport and Works Act 1992(3); and”.

Avoidance of supply interruptions caused by trees

- 4.—(1) In regulation 2, insert the following paragraph after paragraph (7)—
 “(7A) Regulation 20A shall not apply until 6 years after the coming into force of these Regulations.”.
- (2) After regulation 20, insert the following—

“PART VA

AVOIDANCE OF INTERFERENCE WITH OR INTERRUPTION OF SUPPLY CAUSED BY TREES

20A. A generator or distributor shall, so far as is reasonably practicable, ensure that there is no interference with or interruption of supply caused by an insufficient clearance between any of his overhead lines and a tree or other vegetation.”.

Application of ESQCR to offshore waters

- 5.—(1) Subject to paragraph (2), the ESQCR (as amended by these Regulations) shall apply in relation to activities carried on in the territorial sea adjacent to Great Britain and the Renewable Energy Zone.
- (2) The following regulations shall not apply in relation to such activities—
- (a) 9 (protective multiple earthing);
 - (b) 16, 17, 18, 19, 20, 20A and Schedule 2 (overhead lines);
 - (c) 21 (switched alternative sources of energy);
 - (d) 24, 25, 26, 27, 28 and 29 (supplies to installations and to other networks); and
 - (e) 32 and Schedule 4 (notifications of certain interruptions in supply).
- (3) In this regulation “Renewable Energy Zone” means those areas of the sea designated in the Renewable Energy Zone (Designation of Area) Order 2004(4).

13th June 2006

Malcolm Wicks
Minister of State for Energy
Department of Trade and Industry

(3) 1992 c. 42.
(4) S.I. 2004/2668.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend and extend the scope of the Electricity Safety, Quality and Continuity Regulations 2002 (S.I.2002/2665) (“the ESQCR”).

Regulation 2 incorporates the latest amendment to the British Standard Requirements for Electrical Installations (BS7671) into the ESQCR. That amendment to BS7671 was made in light of the requirement to harmonise cable core colours across the European Union. The British Standard Requirements in question are in a joint publication by the British Standards Institution and The Institution of Engineering and Technology. Copies can be obtained from The Institution of Engineering and Technology, Michael Faraday House, Six Hills Way, Stevenage, Herts, SG1 2AY.

Regulation 3 amends the definitions of “consumer” and “distributor” in the ESQCR. This is to ensure that tramways, trolley vehicle systems and other forms of guided transport are afforded the same exemptions from the application of the ESQCR as is the case for railways.

Regulation 4 augments the current duty for generators and distributors to maintain sufficient clearances between electricity lines and trees to avoid danger to the public (regulation 18(5) of the ESQCR) by requiring further vegetation control in order to avoid, so far as is reasonably practicable, interference with or interruption of supply. This amendment is embodied in a new regulation 20A to the ESQCR, which will not apply until 31st January 2009.

Regulation 5 (subject to certain qualifications) extends the scope of the ESQCR to the UK Renewable Energy Zone (“REZ”) and confirms their application to territorial waters adjacent to Great Britain. The REZ was designated by Order in Council (S.I. 2004/2668) pursuant to powers in section 84(4) of the Energy Act 2004 (c. 20).

Certain regulations in the ESQCR, listed in regulation 5(2) of this instrument, have not had their scope extended to offshore waters for reasons of practicability. Certain of the aspects excluded have no physical application offshore (e.g. protective multiple earthing); others have no organisational application (e.g. regulation of supply networks or consumer installations).

A Regulatory Impact Assessment is available and can be obtained from the Department of Trade and Industry’s website at: www.dti.gov.uk. Copies of the Regulatory Impact Assessment have been placed in the libraries of both Houses of Parliament.

These Regulations have been notified to the European Commission and the other Member States in accordance with Directive 98/34/EC of the European Parliament and of the Council (O.J. No. L204, 21.7.98, p.37), as amended by Directive 98/48/EC of the European Parliament and of the Council (O.J. No. L217, 5.8.98, p.18).