
DRAFT STATUTORY INSTRUMENTS

2012 No.

**The Electricity and Gas (Smart Meters
Licensable Activity) Order 2012**

PART 4

Amendments to other primary legislation

Amendment to the Insolvency Act 1986

29. In paragraph 10(1)(b) of Schedule 2A of the Insolvency Act 1986⁽¹⁾ (interpretation of regulated business for the purposes of section 72D of that Act), for “or 7A”, substitute “, 7A or 7B”.

Amendments to the Utilities Act 2000

30.—(1) The Utilities Act 2000⁽²⁾ is amended as follows.

(2) In section 5A(2)(b) (duty of authority to carry out impact assessment), after “supply of electricity”, insert “or in the provision of smart meter communication services (in respect of electricity meters or gas meters)”.

(3) In section 106(1) (interpretation), in the definition of “gas licence”, for “or 7A”, insert “, 7A or 7AB”.

Amendments to the Enterprise Act 2002

31. In section 168 of the Enterprise Act 2002⁽³⁾ (regulated markets), in subsections (3)(c), (4)(c) and (6), for “or 7A”, substitute “, 7A or 7AB”.

Amendment to the Consumers, Estate Agents and Redress Act 2007

32. In section 25 of the Consumers, Estate Agents and Redress Act 2007⁽⁴⁾ (enforcement by a regulator of notices under section 24 of that Act), in the table at the end of subsection (3), for “or 7A”, substitute “, 7A or 7AB”.

Amendment to the Energy Act 2008

33.—(1) Section 88 of the Energy Act 2008⁽⁵⁾ (power to amend licence conditions etc: smart meters) is amended as follows.

(2) In subsection (1)—

(a) after paragraph (d), insert—

(1) 1986 c. 45. Schedule 2A was inserted by section 250 of the Enterprise Act 2002 (c. 40).
(2) 2000 c. 27. Section 5A was inserted by section 6 of the Sustainable Energy Act 2003 (c. 30).
(3) 2002 c. 40. There are amendments to section 168 which are not relevant for the purposes of this Order.
(4) 2007 c. 17.
(5) 2008 c. 32. Section 88 was amended by section 73 of the Energy Act 2011 (c. 16).

- “(da) a condition of a particular licence under section 6(1)(f) of the Electricity Act 1989, or under section 7AB of the Gas Act 1986 (smart meter communication licences);” and
 - (b) in paragraph (e), for “or 7A”, substitute “, 7A or 7AB”.
- (3) In subsection (6)—
- (a) in paragraph (b), for “or 7A”, substitute “, 7A or 7AB”;
 - (b) in paragraph (c), for “or (d)”, substitute “, (d) or (f)”.