

*Changes to legislation: There are currently no known outstanding effects  
for the Energy Act 2023, Part 4. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 18 **U.K.**

#### HEAT NETWORKS REGULATION

#### **PART 4** **U.K.**

#### CODE GOVERNANCE

##### *Designated documents*

- 22 (1) In [this Part](#), “designated document” means a document that—
- (a) is maintained in accordance with the conditions of a code manager licence, and
  - (b) is designated for the purposes of [this Part](#) by or in accordance with the regulations.
- (2) The regulations may—
- (a) designate or provide for the designation of different documents for different purposes;
  - (b) provide for the time from which a designation has effect;
  - (c) provide for the modification of a designated document and its reissuing in its modified form;
  - (d) revoke or provide for the revocation of a designated document;
  - (e) provide for a designated document otherwise ceasing to be a designated document.
- (3) The regulations may provide for a document that is designated to make provision by reference to material (including standards, specifications or requirements) contained in other documents that are published from time to time.
- (4) The regulations may, in particular, make provision about the cases in which the designated document may be modified by the Regulator.

##### **Commencement Information**

- II** Sch. 18 para. 22 in force at Royal Assent, see [s. 334\(2\)\(l\)](#)

##### *Prohibition on performing the function of a code manager*

- 23 (1) The regulations may, in relation to England and Wales and Scotland, prohibit a person from performing the function of code manager in relation to a designated document, except as permitted by virtue of a code manager licence (see [paragraph 25](#)).

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- (2) A reference in [this Part](#) to a person performing the function of code manager in relation to a designated document is a reference to a person making arrangements, with persons to whom [sub-paragraph \(3\)](#) applies, under which the person is responsible for the governance of the designated document.
- (3) This sub-paragraph applies to the person who holds a heat network authorisation where a condition of the authorisation requires the person to comply with the designated document in question.

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**Commencement Information**

**I2** Sch. 18 para. 23 in force at Royal Assent, see [s. 334\(2\)\(l\)](#)

*Licensed code managers*

- 24 (1) The regulations may, in relation to England and Wales and Scotland, make provision about selecting a person to be a code manager in relation to a designated document.
- (2) Regulations made by virtue of [sub-paragraph \(1\)](#) may, in particular, make provision about the procedure for selecting a person, including provision for determining which procedure to apply in a particular case.
- (3) Regulations made by virtue of [sub-paragraph \(2\)](#) may include provision for the payment of a fee by a person seeking to be selected to be a code manager.
- (4) Regulations made by virtue of [sub-paragraph \(2\)](#) may provide for the Regulator to make provision by regulations about those matters.
- (5) Regulations made by the Regulator by virtue of [sub-paragraph \(4\)](#) are to be made by statutory instrument.

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**Commencement Information**

**I3** Sch. 18 para. 24 in force at Royal Assent, see [s. 334\(2\)\(l\)](#)

- 25 (1) The regulations may, in relation to England and Wales and Scotland, provide for the Regulator, where a person is selected to be the code manager in relation to a designated document, to issue a licence (a “code manager licence”) to the person which authorises the person to perform the function of code manager in relation to the designated document.
- (2) The regulations may make provision as to the period for which a licence may be in force.
- (3) In [this Part](#), references to the licensed code manager, in relation to a designated document, are references to the person who is authorised by a code manager licence to perform the function of code manager in relation to the designated document.

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**Commencement Information**

**I4** Sch. 18 para. 25 in force at Royal Assent, see [s. 334\(2\)\(l\)](#)

- 26 (1) The regulations may make provision about the contents of a code manager licence.

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- (2) Regulations made by virtue of [sub-paragraph \(1\)](#) may, in particular—
- (a) provide for the Regulator to determine and publish conditions to be included in each code manager licence or in each code manager licence of a particular description;
  - (b) provide for the Secretary of State to determine and publish conditions to be included in each code manager licence or in each code manager licence of a particular description;
  - (c) provide for consultation on, and publication of, the conditions proposed to be so determined;
  - (d) make provision about the inclusion in a code manager licence of conditions that are special to that licence;
  - (e) make provision about including conditions that meet objectives or other criteria specified in the regulations.
- (3) Regulations made by virtue of [sub-paragraph \(1\)](#) may, in particular, provide for the following sorts of conditions to be included in a code manager licence—
- (a) conditions about the nature of the governance arrangements that the licensed code manager may enter into with persons who hold a heat network authorisation (see [paragraph 14\(3\)\(b\)](#));
  - (b) conditions about the content of those governance arrangements, which may include provision about the licensed code manager—
    - (i) modifying the designated document,
    - (ii) monitoring or enforcing compliance with the provisions of the designated document, or
    - (iii) developing guidance relating to the designated document;
  - (c) conditions about functions of the Regulator in connection with the modification of a designated document;
  - (d) conditions about providing information to the Regulator;
  - (e) conditions about complying with directions of the Regulator as to matters specified or of a description specified in the code manager licence;
  - (f) conditions about the payment of fees to the Regulator, including conditions about the payment of fees—
    - (i) when a code manager licence is first issued;
    - (ii) while a code manager licence continues to be in force in relation to a person.
- (4) The regulations may, in particular, provide for conditions to be included in a code manager licence that—
- (a) in relation to England and Wales or Scotland, impose on the person who holds the licence a requirement of a kind that may be imposed under section 7(3) of the Electricity Act 1989 on the holder of a licence under section 6(1) of that Act;
  - (b) in relation to Northern Ireland, impose on the person who holds the licence a requirement of a kind that may be imposed under Article 11(3) of the Electricity (Northern Ireland) Order 1992 ([S.I. 1992/231 \(N.I. 1\)](#)) on the holder of a licence under Article 10(1) of that Order.

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**Commencement Information**

**I5** Sch. 18 para. 26 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)

- 27 The regulations may provide for the Regulator to make payments to licensed code managers in respect of their costs.

**Commencement Information**

**I6** Sch. 18 para. 27 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)

- 28 (1) The regulations may provide for the modification by the Regulator of—
- (a) the conditions of a particular code manager licence;
  - (b) conditions that are included in two or more code manager licences.
- (2) Regulations made by virtue of [sub-paragraph \(1\)](#) may, in particular—
- (a) provide for the procedure to be followed by the Regulator when it proposes to make a modification;
  - (b) provide for the communication of any modification;
  - (c) provide for the time when any modification takes effect;
  - (d) provide for the Regulator to comply with a direction of the Secretary of State not to make a particular modification.
- (3) In sub-paragraphs (1) and (2), a reference to the modification of a condition includes a reference to the revocation of a condition.
- (4) The regulations may provide for the conditions of a code manager licence—
- (a) to have effect or cease to have effect at such times and in such circumstances as may be determined by or under the conditions;
  - (b) to be modified in such manner as may be specified in the conditions at such times and in such circumstances as may be so determined.

**Commencement Information**

**I7** Sch. 18 para. 28 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)

**Commencement Information**

**I3** Sch. 18 para. 24 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)  
**I4** Sch. 18 para. 25 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)  
**I5** Sch. 18 para. 26 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)  
**I6** Sch. 18 para. 27 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)  
**I7** Sch. 18 para. 28 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)

*Review and revocation of code manager licences*

- 29 The regulations may provide for a code manager licence, or the activities carried out by virtue of a code manager licence, to be reviewed by the Regulator at any time while it is in force.

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**18** Sch. 18 para. 29 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)

- 30 (1) The regulations may provide—
- (a) for the revocation of a code manager licence by the Regulator;
  - (b) for a code manager licence to cease to have effect in circumstances specified in or determined under the licence.
- (2) Regulations made by virtue of [sub-paragraph \(1\)\(a\)](#) may provide for the procedure to be followed by the Regulator when it proposes to revoke the licence.

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**Commencement Information**

**19** Sch. 18 para. 30 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)

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**Commencement Information**

**18** Sch. 18 para. 29 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)

**19** Sch. 18 para. 30 in force at Royal Assent, see [s. 334\(2\)\(1\)](#)

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