
STATUTORY INSTRUMENTS

2017 No. 493

The Electricity and Gas (Internal Markets) Regulations 2017

Amendment to section 8Q of the 1986 Act

2. For subsection (5) of section 8Q of the 1986 Act⁽¹⁾ (definition of “relevant producer or supplier”), substitute—

“(5) A person falls within this subsection if—

- (a) the person requires a licence under section 7A of this Act⁽²⁾ or section 6 of the Electricity Act 1989⁽³⁾ (licences authorising supply, etc) to carry out the activity by virtue of which the person falls within subsection (4);
- (b) where the person does not carry out the activity in Great Britain, the person would, in the Authority’s opinion, require such a licence if carrying out the activity in Great Britain; or
- (c) the person has a relationship with the applicant or certified person which the Authority thinks might lead the applicant or certified person to discriminate in favour of the person.”.

⁽¹⁾ Sections 8C to 8Q of the 1986 Act were inserted by [S.I. 2011/2704](#).

⁽²⁾ Section 7A of the 1986 Act was inserted by the Gas Act 1995 ([c.45](#)), section 6(1) and amended by the Utilities Act 2000 ([c.27](#)), sections 3(2) and 108 and Schedules 6 and 8 and the Energy Act 2004 ([c.20](#)), section 149.

⁽³⁾ Section 6 of the 1989 Act was substituted by the Utilities Act 2000, section 30, and amended by the Energy Act 2004, sections 136(1), 145(1) and (5) and 197(9) and Schedule 23, Part 1, and by [S.I. 2012/2400](#).