



# Electricity Act 1989

## CHAPTER 29

### ELECTRICITY ACT 1989

#### PART I

#### ELECTRICITY SUPPLY

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- 1 The Director General of Electricity Supply.
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- 3 General duties of Secretary of State and Director.
- 3A The principal objective and general duties of the Secretary of State and the Authority.
- 3B Guidance on social and environmental matters.
- 3C Health and safety.
- 3D Exceptions from sections 3A to 3C.

##### *Licensing of supply etc.*

- 4 Prohibition on unlicensed supply etc.
- 5 Exemptions from prohibition.
- 6 Licences authorising supply, etc.
- 6A Procedure for licence applications.
- 6B Applications for transmission licences.
- 7 Conditions of licences: general.
- 7A Transfer of licences.
- 7B Uniform prices etc. in certain areas of Scotland.
- 8 Conditions for funding certain companies engaged in nuclear generation in Scotland.
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10 Powers etc. of licence holders.

*Modification of licences*

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- 22 Special agreements with respect to connection.
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- 27C Time limits on the imposition of financial penalties.
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- 29 Regulations relating to supply and safety.
- 30 Electrical inspectors.
- 31 Use etc. of meters.

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- 34 Fuel stocks etc. at generating stations.
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- 46 Consumer complaints.
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- 49 Keeping of register.
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- 50 Annual and other reports.

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- 51 General duty of consumers' committees to advise Director etc.etc.
- 52 Periodical and other reports of consumers' committees.
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- 101 Rights of entry.
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- 111 General interpretation.
- 112 Amendments, transitional provisions, savings and repeals.
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## SCHEDULES

### SCHEDULE 1 —

#### *Remuneration, pensions etc.*

- 1 (1) There shall be paid to the Director such remuneration,...

#### *Staff*

- 2 The Director may, with the approval of the Treasury as...

#### *Expenses of the Director and his staff*

- 3 There shall be paid out of money provided by Parliament—...

#### *Official seal*

- 4 The Director shall have an official seal for the authentication...

#### *Performance of functions*

- 5 (1) Anything authorised or required by or under this Act...

#### *Documentary evidence*

- 6 The Documentary Evidence Act 1868 shall have effect as if...

#### *The Parliamentary Commissioner*

- 7 In the Parliamentary Commissioner Act 1967, in Schedule 2 (departments...

#### *Parliamentary disqualification etc.*

- 8 In the House of Commons Disqualification Act 1975, in Part...

### SCHEDULE 2 —

#### *Preliminary*

- 1 In this Schedule any reference to the committee is a...

#### *Remuneration, pensions etc. of chairman*

- 2 (1) There shall be paid to the chairman of the...

#### *Allowances for other members*

- 3 There shall be paid to members of the committee other...

#### *Administration etc.*

- 4 The Director may make arrangements for the committee to be...

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### *Proceedings*

- 5 The validity of any proceedings of the committee shall not...  
6 (1) Subject to sub-paragraphs (2) and (3) below, meetings of...

### *Sub-committees*

- 7 (1) The committee may, with the approval of the Director—...

### *Financial provisions*

- 8 (1) There shall be paid by the Director out of...

### *Amendment of other Acts*

- 9 In section 14(1) of the Chronically Sick and Disabled Persons...  
10 In Part III of Schedule 1 to the House of...

## SCHEDULE 3 — Compulsory Acquisition of Land etc. by Licence Holders

### Part I — POWERS OF ACQUISITION

- 1 (1) Subject to paragraph 2 below, the Secretary of State...  
2 (1) No order shall be made under paragraph 1 above...  
3 (1) This paragraph applies to land which—  
4 Where a licence holder has acquired any land by virtue...

### Part II — PROCEDURE, COMPENSATION ETC. (ENGLAND AND WALES)

#### *Application of Acquisition of Land Act 1981 generally*

- 5 (1) Subject to sub-paragraph (2) below, the Acquisition of Land...

#### *New rights: general adaptation of Compulsory Purchase Act 1965*

- 6 The Compulsory Purchase Act 1965 shall have effect with the...

#### *New rights: specific adaptations of Act of 1965*

- 7 Without prejudice to the generality of paragraph 6 above, Part...  
8 For section 7 of that Act (measure of compensation) there...  
9 For subsection (1) of section 8 of that Act (protection...  
10 The following provisions of that Act (being provisions stating the...  
11 Section 11 of that Act (powers of entry) shall be...  
12 Section 20 of that Act (protection for interests of tenants...  
13 Section 22 of that Act (protection of acquiring authority's possession...

#### *New rights: compensation*

- 14 The enactments in force in England and Wales with respect...  
Part III — PROCEDURE, COMPENSATION ETC. (SCOTLAND)

#### *Application of Acquisition of Land (Authorisation Procedure) (Scotland) Act 1947 generally*

- 15 (1) Subject to sub-paragraph (2) below, the Acquisition of Land...

#### *New rights: general application of Act of 1947 and incorporated enactments*

- 16 The Acquisition of Land (Authorisation Procedure) (Scotland) Act  
1947, and...

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*New rights: specific adaptations of Act of 1947*

- 17 Without prejudice to the generality of paragraph 16 above, Part...
- 18 In paragraph 9 of that Schedule (compulsory purchase affecting land...
- 19 In paragraph 10 of that Schedule (land of statutory undertakers)—...
- 20 In paragraph 11 of that Schedule (common or open space),...
- 21 .....
- 22 Paragraph 3(1) of the Second Schedule to the Acquisition of...
- 23 For paragraph 4 of that Schedule (protection for owner against...

*New rights: specific adaptations of Lands Clauses Consolidation (Scotland) Act 1845*

- 24 Without prejudice to the generality of paragraph 16 above, the...
- 25 For section 61 of that Act (estimation of compensation) there...
- 26 The following provisions of that Act (being provisions stating the...
- 27 Sections 114 (compensation to be made to tenants for a...
- 28 Sections 117 (protection of promoter of undertaking where by inadvertence...

*New rights: compensation*

- 29 The enactments in force in Scotland with respect to compensation...

SCHEDULE 4 — Other Powers etc. of Licence Holders

*Street works etc. in England and Wales*

- 1 (1) Subject to the following provisions of this paragraph, for...

*Road works etc. in Scotland*

- 2 (1) Subject to the following provisions of this paragraph, for...

*Alteration of works*

- 3 (1) A licence holder may execute works in pursuance of...
- 4 (1) Any of the following who is authorised by or...

*Protection from interference*

- 5 (1) Subject to sub-paragraph (2) below, a licence holder who...

*Acquisition of wayleaves*

- 6 (1) This paragraph applies where— (a) for any purpose connected...

*Provisions supplementary to paragraph 6*

- 7 (1) Where a wayleave is granted to a licence holder...

*Temporary continuation of wayleaves*

- 8 (1) This paragraph applies where at any time such a...

*Felling and lopping of trees etc.*

- 9 (1) This paragraph applies where any tree is or will...



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*Entry on land for purposes of exploration*

- 10 (1) Subject to the following provisions of this paragraph and...

*Provisions supplementary to paragraphs 9 and 10*

- 11 (1) Any person who intentionally obstructs a person acting in...

*Interpretation*

- 12 In this Schedule— “moveables” means chattels in relation to England...

SCHEDULE 5 — Water Rights for Hydro-Electric Generating Stations in Scotland

- 1 In Scotland, a person who holds a licence under section...  
2 Authorisation under paragraph 1 above shall be by order and...  
3 Where the abstraction, diversion, and use will, in the opinion...  
4 In this Schedule “compensation water” means a flow of water,...  
5 In deciding whether to make the order or in prescribing...  
6 Any question of disputed compensation under paragraph 1 above shall...  
7 An applicant for authorisation under paragraph 1 above shall submit...  
8 Not later than the date on which the said notice...  
9 The applicant shall also publish in the Edinburgh Gazette a...  
10 The applicant shall, at the request of any person interested,...  
11 The Secretary of State may make an order in the...  
12 If before the expiration of the 28 days referred to...  
13 The expenses incurred by the Secretary of State in connection...  
14 In paragraphs 7 and 8 above the expression “area affected...  
15 In paragraphs 1 to 8 above “watercourse” includes all rivers,...

Schedule 6 — The electricity code

*Suppliers’ charges relating to meters for disabled persons*

- 1 (1) Where an electricity supplier, for the purpose of meeting...

*Non-payment of suppliers’ charges*

- 2 (1) Where a customer has not, within the requisite period,...

*Deemed contracts in certain cases*

- 3 (1) Where an electricity supplier supplies electricity to any premises...

*Supplies of electricity illegally taken*

- 4 (1) Where any person takes a supply of electricity which...

*Restoration of connection without consent*

- 5 (1) Where, otherwise than in the exercise of a power...

*Damage to electrical plant etc.*

- 6 (1) A person who intentionally or by culpable negligence damages...

*Entry during continuance of connection or supply*

- 7 (1) Any officer or other person authorised by an electricity...

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*Entry on discontinuance of supply or connection*

- 8 (1) Where an electricity supplier or an electricity distributor is...

*Entry for replacing, repairing or altering lines or plant*

- 9 (1) Any officer or other person authorised by an electricity...

*Provisions as to powers of entry*

- 10 (1) The Rights of Entry (Gas and Electricity Boards) Act...

*Electrical plant etc. not to be subject to distress*

- 11 (1) This paragraph applies to any electric line, electrical plant...

SCHEDULE 7 — Use etc. of Electricity Meters

*Consumption to be ascertained by appropriate meter*

- 1 (1) Where a customer of an authorised supplier is to...

*Restrictions on use of meters*

- 2 (1) No meter shall be used for ascertaining the quantity...  
3 (1) If an authorised supplier supplies electricity through a meter...

*Meter examiners*

- 4 (1) The Director shall appoint competent and impartial persons as...

*Certification of meters*

- 5 (1) Subject to sub-paragraph (2) below, a meter may be...

*Apparatus for testing etc. of meters*

- 6 (1) It shall be the duty of a person to...

*Testing etc. of meters*

- 7 (1) It shall be the duty of a meter examiner,...  
8 (1) This paragraph applies where there is a genuine dispute...

*Presumptions and evidence*

- 9 (1) This paragraph applies to meters used for ascertaining the...

*Meters to be kept in proper order*

- 10 (1) A customer of an authorised supplier shall at all...

*Interference with meters*

- 11 (1) If any person intentionally or by culpable negligence—

*Special provision for pre-payment meters*

- 12 (1) A customer of an authorised supplier who takes his...

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*Interpretation*

13 In this Schedule— “agreed margins of error” has the meaning...

SCHEDULE 8 — Consents under Sections 36 and 37

*Applications for consent*

1 (1) An application for a consent under section 36 or...

*Objections by relevant planning authority*

2 (1) Where an application is made to the Secretary of...

*Objections by other persons*

3 (1) The Secretary of State may by regulations make provision...

*Public inquiries*

4 (1) Where in accordance with paragraph 2(2) or 3(2) above...

*Provisions supplementary to paragraphs 2 to 4*

5 (1) Where in accordance with paragraph 2(2) or 3(2) above...

*Special provisions as to consents under section 37*

6 (1) Where an application for consent under section 37 of...

*Deemed planning permission etc.*

7 .....

*Supplemental*

8 (1) In this Schedule “relevant planning authority” has the meaning...

SCHEDULE 9 — PRESERVATION OF AMENITY AND FISHERIES.

*Preservation of amenity: England and Wales*

1 (1) In formulating any relevant proposals, a licence holder or...

2 (1) A licence holder shall within twelve months from the...

*Preservation of amenity and fisheries: Scotland*

3 (1) In formulating any relevant proposals, a licence holder or...

4 (1) A licence holder shall within twelve months from the...

*Fisheries Committee: Scotland*

5 (1) The Fisheries Committee appointed under section 5(2) of the...

SCHEDULE 10 — Transfers under Sections 66 and 67

*Allocation of property, rights and liabilities: general*

1 (1) The provisions of this paragraph shall apply where the...

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- 2 (1) The provisions of this paragraph shall apply where the...

*Allocation of rights and liabilities: contracts of employment*

- 3 (1) The provisions of this paragraph shall apply where—

*Variation of transfers by agreement*

- 4 (1) The provisions of this paragraph shall apply where the...

*Right to production of documents of title*

- 5 (1) The provisions of this paragraph shall apply where the...

*Proof of title by certificate*

- 6 (1) Where two or more transfers are effected in pursuance...

*Restrictions on dealing with certain land*

- 7 (1) Where two or more transfers are effected in pursuance...

*Third parties affected by vesting provisions*

- 8 (1) A transaction of any description which, in pursuance of...

- 9 (1) If in consequence of two or more transfers effected...

*Interpretation*

- 10 Any reference in this Schedule to a transfer effected in...

## SCHEDULE 11 — TAXATION PROVISIONS

*General*

- 1 (1) Subject to sub-paragraphs (2) and (3) below, the following...

*Chargeable gains*

- 2 (1) This paragraph applies where— (a) by virtue of a...  
2A In this Schedule “ the 1992 Act ” means the...

*Roll-over relief*

- 3 (1) Where— (a) a held over gain would, but for...

*Unallowed capital losses*

- 4 (1) Any unallowed capital losses of an existing body shall...

*Transaction in pursuance of section 68(2)(c)*

- 5 (1) Sub-paragraph (2) below applies to any disposal (within the...

*Transfers in pursuance of Schedule 10*

- 6 Where any property, rights and liabilities to which a transfer...

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*Apportionments etc.*

7 (1) This paragraph applies where any apportionment or other matter...

*Securities of successor companies*

8 (1) Any share issued by a successor company in pursuance...

*Extinguishment of liabilities: restriction of tax losses*

9 (1) Section 400(1) of the 1988 Act (write-off of government...

*Income tax exemption for certain interests*

10 The vesting in a successor company by this Act of...

*Stamp Duty*

11 (1) No transfer effected by this Act shall give rise...

*Stamp duty reserve tax*

12 (1) No agreement made for the purposes of or for...

*Interpretation etc.*

13 (1) In this Schedule— “the 1988 Act” means the Income...

SCHEDULE 12 — Nuclear Liabilities: Financial Assistance

*Grants by Secretary of State*

1 (1) ... , the Secretary of State may, with the...

*Loans by Secretary of State*

2 (1) ... , the Secretary of State may, with the...

*Guarantees by Secretary of State*

3 (1) Subject to paragraph 4 below, the Secretary of State...

*Financial limits*

4 (1) The aggregate of the following, namely—

*Interpretation*

5 In this Schedule “qualifying expenditure” has the meaning given by...

SCHEDULE 13 — Production and Supply of Heat or Electricity etc. by Scottish  
Local Authorities

In the Local Government (Scotland) Act 1973, the following  
provisions...

SCHEDULE 14 — The Electricity Supply Pension Scheme

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*Power to amend scheme*

- 1 (1) The Secretary of State may make regulations amending the...

*Protection for certain persons*

- 2 (1) The Secretary of State may make regulations for the...  
3 (1) Subject to sub-paragraph (3) below, this sub-paragraph applies to  
—...  
4 (1) Chapter I of Part XIV of the Employment Rights...

*Interpretation*

- 5 (1) In this Schedule— “Consultative Council” means a Consultative Council...

SCHEDULE 15 — The Scottish Pension Schemes

*Power to amend schemes*

- 1 (1) The Secretary of State may make regulations amending the...

*Protection for certain persons*

- 2 (1) The Secretary of State may make regulations for the...  
3 (1) Subject to sub-paragraph (3) below, this sub-paragraph applies to  
—...  
4 (1) Chapter I of Part XIV of the Employment Rights...

*Interpretation*

- 5 (1) In this Schedule— “Consultative Council” means a Consultative Council...

SCHEDULE 16 — Minor and Consequential Amendments

*Enactments relating to statutory undertakers etc.*

- 1 (1) The holder of a licence under section 6(1) of...  
2 (1) A licence holder who is entitled to exercise any...  
3 (1) In the following enactments, namely— (a) the Water Act...

*The Civil Defence Act 1939 (c.31)*

- 4 In section 90 of the Civil Defence Act 1939 (interpretation),...

*The Water Act 1945 (c.42)*

- 5 In Schedule 3 to the Water Act 1945 (incorporated provisions):...

*The Wireless Telegraphy Act 1949 (c.54)*

- 6 In section 19(2) of the Wireless Telegraphy Act 1949 (definition)...

*The Public Utilities Street Works Act 1950 (c.39)*

- 7 .....

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*The Rights of Entry (Gas and Electricity Boards) Act 1954 (c.21)*

8 (1) The Rights of Entry (Gas and Electricity Boards) Act...

*The Land Powers (Defence) Act 1958 (c.30)*

9 In section 14(2)(b) of the Land Powers (Defence) Act 1958...

*The Water Resources Act 1963 (c.38)*

10 In section 19(4)(f) of, and in paragraph 4(h) of Schedule...

*The Nuclear Installations Act 1965 (c.57)*

11 For subsection (4) of section 3 of the Nuclear Installations...

*The Building Control Act 1966 (c.27)*

12 In section 5(1) of the Building Control Act 1966, after...

*The Forestry Act 1967 (c.10)*

13 (1) Section 9 of the Forestry Act 1967 (licences for...

*The Transport Act 1968 (c. 73)*

14 In section 109(2) of the Transport Act 1968, for paragraphs...

*The Post Office Act 1969 (c.48)*

15 .....

*The Fair Trading Act 1973 (c.41)*

16 (1) The Fair Trading Act 1973 shall be amended as...

*The Consumer Credit Act 1974 (c. 39)*

17 (1) The Consumer Credit Act 1974 shall be amended as...

*The Control of Pollution Act 1974 (c. 40)*

18 (1) Section 21 of the Control of Pollution Act 1974...

*The Restrictive Trade Practices Act 1976 (c. 34)*

19 In section 41(1)(a) of the Restrictive Trade Practices Act 1976...

*The Local Government (Miscellaneous Provisions) Act 1976 (c. 57)*

20 (1) Section 11 of the Local Government (Miscellaneous Provisions) Act...

*The Land Drainage Act 1976 (c. 70)*

21 In section 112(2)(a) of the Land Drainage Act 1976 (protection...

*The Energy Act 1976 (c. 76)*

22 In section 14 of the Energy Act 1976 (fuelling for...

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*The Land Registration (Scotland) Act 1979 (c. 33)*

23 In section 28(1) of the Land Registration (Scotland) Act 1979...

*The Estate Agents Act 1979 (c. 38)*

24 .....

*The Competition Act 1980 (c. 21)*

25 In section 19 of the Competition Act 1980 (exceptions to...

*The Water (Scotland) Act 1980 (c. 45)*

26 (1) The Water (Scotland) Act 1980 shall be amended as...

*The Highways Act 1980 (c. 66)*

27 .....

*The Acquisition of Land Act 1981 (c. 67)*

28 In section 28 of the Acquisition of Land Act 1981...

*The Telecommunications Act 1984 (c. 12)*

29 (1) The Telecommunications Act 1984 shall be amended as follows....

*The Roads (Scotland) Act 1984 (c. 54)*

30 In section 61(4) of the Roads (Scotland) Act 1984 (permission...

*The Building Act 1984 (c. 55)*

31 In section 80(3) of the Building Act 1984 (notice to...

*The Bankruptcy (Scotland) Act 1985 (c. 66)*

32 In section 70(4)(b) of the Bankruptcy (Scotland) Act 1985 (supplies...

*The Airports Act 1986 (c. 31)*

33 In section 74 of the Airports Act 1986 (restrictions on...

*The Gas Act 1986 (c. 44)*

34 In section 42 of the Gas Act 1986 (general restrictions...

*The Insolvency Act 1986 (c. 45)*

35 .....

*The Consumer Protection Act 1987 (c. 43)*

36 In section 38 of the Consumer Protection Act 1987 (general...

*The Water Act 1989 (c. 15)*

37 In section 160 of the Water Act 1989 (protection of...



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### *Interpretation*

38 In this Schedule expressions which are used in Part I...

#### SCHEDULE 17 — Transitional Provisions and Savings

##### Part I — PROVISIONS AND SAVINGS FOR PART I OF ACT

- 1 (1) In so far as any requisition made under section...
- 2 Any tariff fixed under section 37(3) of the Electricity Act...
- 3 Any regulations made under section 16 of the Energy Act...
- 4 (1) Where any application made under section 2 of the...
- 5 (1) Where any application made under section 10(b) of the...
- 6 Any maximum charge fixed by an Electricity Board under section...
- 7 Where any representation, reference or report made under, or in...
- 8 (1) Any land which has been compulsorily acquired under section...
- 9 Any consent given under subsection (1) of section 22 of...
- 10 Any order made under subsection (3) of section 34 of...
- 11 (1) Any meter of a pattern which is approved for...
- 12 Any regulations made under section 34(2) of the Electricity Act...
- 13 Where— (a) any sum was deposited with an Electricity Board...
- 14 (1) Where immediately before the day appointed for the coming...
- 15 The repeal by this Act of any provision by virtue...
- 16 In this Part of this Schedule “the Electricity Acts” means—...

##### Part II — PROVISIONS AND SAVINGS FOR PART II OF ACT

- 17 Any licence granted under section 6 of this Act to...
- 18 Any tariff fixed, or having effect as if fixed, under...
- 19 Any consent given under section 36 of this Act to...
- 20 Any consent given under section 37 of this Act to...
- 21 Any maximum price fixed, or having effect as if fixed,...
- 22 A direction given under section 96 of this Act to...
- 23 (1) Any land compulsorily acquired by an Electricity Board before...
- 24 (1) Where immediately before the transfer date there is in...
- 25 (1) Any agreement made, transaction effected or other thing done...
- 26 It is hereby declared for the avoidance of doubt that—...
- 27 The Transfer of Undertakings (Protection of Employment) Regulations 1981 shall...
- 28 Any agreement made under section 53 of the Electricity Act...
- 29 (1) It shall be the duty of an Electricity Board...
- 30 (1) Notwithstanding the repeal by this Act of section 46...
- 31 (1) Notwithstanding the repeal by this Act of section 30...
- 32 Notwithstanding the repeal by this Act of sections 10 and...
- 33 Where by virtue of anything done before the transfer date,...
- 34 Without prejudice to the powers conferred by section 112(2) of...
- 35 (1) Nothing in this Act shall affect the validity of...
- 36 (1) Where immediately before the transfer date an Electricity Board...
- 37 (1) An application or claim by an Electricity Board for...
- 38 (1) Where an asset, or the right to receive an...
- 39 (1) Where a distribution is proposed to be declared during...
- 40 In this Part of this Schedule expressions which are used...

#### SCHEDULE 18 — Repeals

**Status:**

Point in time view as at 25/07/2003.

**Changes to legislation:**

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