



Electricity Act 1989

1989 CHAPTER 29

PART I U.K.

ELECTRICITY SUPPLY

Other functions of Director

47 General functions. E+W+S

- (1) It shall be the duty of the Director, so far as it appears to him practicable from time to time to do so—
 - (a) to keep under review the carrying on both in Great Britain and elsewhere of activities to which this subsection applies; and
 - (b) to collect information with respect to those activities, and the persons by whom they are carried on, with a view to facilitating the exercise of his functions under this Part;and this subsection applies to any activities connected with the generation, transmission and supply of electricity, including in particular activities connected with the supply to any premises of heat produced in association with electricity and steam produced from and air and water heated by such heat.
- (2) The Secretary of State may give general directions indicating—
 - (a) considerations to which the Director should have particular regard in determining the order of priority in which matters are to be brought under review in performing his duty under subsection (1)(a) or (b) above; and
 - (b) considerations to which, in cases where it appears to the Director that any of his functions under this Part are exercisable, he should have particular regard in determining whether to exercise those functions.
- (3) It shall be the duty of the Director, where either he considers it expedient or he is requested by the Secretary of State or the Director General of Fair Trading to do so, to give information, advice and assistance to the Secretary of State or that Director

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with respect to any matter in respect of which any function of the Director under this Part is exercisable.

- (4) It shall be the duty of the Director to make such arrangements as he considers appropriate—
- (a) for the provision of information by him to consumers' committees; or
 - (b) for facilitating the provision of information by consumers' committees to other such committees.

48 Publication of information and advice. E+W+S

- (1) The Director may arrange for the publication, in such form and in such manner as he considers appropriate, of such information and advice as it may appear to him expedient to give to customers or potential customers of persons authorised by a licence to supply electricity.
- (2) In arranging for the publication of any such information or advice the Director shall have regard to the need for excluding, so far as that is practicable, the matters specified in section 42(5)(a) and (b) above.
- (3) The Director General of Fair Trading shall consult the Director before publishing under section 124 of the 1973 Act any information or advice which may be published by the Director under this section.

49 Keeping of register. E+W+S

- (1) The Director shall, at such premises and in such form as he may determine, maintain a register for the purposes of this Part.
- (2) Subject to subsection (3) and to any direction given under subsection (4) below, the Director shall cause to be entered in the register the provisions of—
 - (a) every licence and every exemption granted to a particular person;
 - (b) every modification or revocation of a licence;
 - (c) every direction or consent given or determination made under a licence; and
 - (d) every final or provisional order, every revocation of such an order and every notice under section 25(6) above.
- (3) In entering any provision in the register, the Director shall have regard to the need for excluding, so far as that is practicable, the matters specified in section 42(5)(a) and (b) above.
- (4) If it appears to the Secretary of State that the entry of any provision in the register would be against the public interest or the commercial interests of any person, he may direct the Director not to enter that provision in the register.
- (5) The contents of the register shall be available for inspection by the public during such hours and subject to the payment of such fee as may be specified in an order made by the Secretary of State.
- (6) Any person may, on the payment of such fee as may be specified in an order so made, require the Director to supply him with a copy of, or extract from, any part of the register, being a copy or extract which is certified by the Director to be a true copy or extract.

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- (7) Any sums received by the Director under this section shall be paid into the Consolidated Fund.

VALID FROM 01/10/2001

[^{F1}49A Reasons for decisions. E+W+S

- (1) This section applies to the following decisions of the Authority or the Secretary of State, namely—
- (a) the revocation of a licence;
 - (b) the modification of the conditions of a licence;
 - (c) the giving of any directions or consent in pursuance of a condition included in a licence by virtue of section 7(3)(a) or (b);
 - (d) the determination of a question referred in pursuance of a condition included in a licence by virtue of section 7(3)(c);
 - (e) the determination of a dispute referred under section 23(1);
 - (f) the making of a final order, the making or confirmation of a provisional order or the revocation of a final order or of a provisional order which has been confirmed.
- (2) As soon as reasonably practicable after making such a decision the Authority or the Secretary of State shall publish a notice stating the reasons for the decision in such manner as it or he considers appropriate for the purpose of bringing the matters to which the notice relates to the attention of persons likely to be interested.
- (3) The Authority shall send a copy of a notice published in respect of a decision mentioned in paragraph (a), (b), (c), (d) or (f) of subsection (1) to the licence holder to whose licence, or to whom, the decision relates.
- (4) In preparing a notice under subsection (2) the Authority or the Secretary of State shall have regard to the need for excluding, so far as that is practicable, any matter which relates to the affairs of a particular individual or body of persons (corporate or unincorporate), where it or he considers that publication of that matter would or might seriously and prejudicially affect the interests of that individual or body.
- (5) This section does not apply to a decision resulting in any provision which the Secretary of State has under section 49(4) directed the Authority not to enter in the register required to be kept under that section.]

Textual Amendments

- F1** S. 49A inserted (1.10.2001) by 2000 c. 27, s. 42; S.I. 2001/3266, art. 2, Sch. (subject to transitional provisions in arts. 3-20)

50 Annual and other reports. U.K.

- (1) The Director shall, as soon as practicable after the end of the year 1989 and of each subsequent calendar year—
- (a) make to the Secretary of State a report on—

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- (i) his activities during that year; and
 - (ii) the Monopolies Commission's activities during that year so far as relating to references made by him; and
 - (b) send a copy of that report to the chairman and members of each of the consumers' committees.
- (2) Every such report shall—
- (a) include a general survey of developments, during the year to which it relates, in respect of matters falling within the scope of the Director's functions;
 - (b) set out any final or provisional orders made by the Director during that year;
 - (c) set out any general directions given to the Director during that year under section 47(2) above;
 - (d) include a general survey of the activities during that year of the consumers' committees and a summary of any reports made to him by those committees under section 52 below; and
 - (e) include a general survey of the activities during the year of the National Consumers' Consultative Committee.
- (3) The Secretary of State shall lay a copy of every report made by the Director under subsection (1) above before each House of Parliament and shall arrange for copies of every such report to be published in such manner as he considers appropriate.
- (4) The Director shall also make to the Secretary of State—
- (a) such reports with respect to the matters mentioned in subsection (2)(a) above as the Secretary of State may from time to time require; and
 - (b) such other reports with respect to those matters as may appear to him to be expedient;
- and the Director shall, if the Secretary of State so directs, arrange for copies of any report made under this subsection to be published in such manner as is specified in the direction.
- (5) In making or preparing any report under this section the Director shall have regard to the need for excluding, so far as that is practicable, the matters specified in section 42(5)(a) and (b) above.
- (6) Section 125(1) of the 1973 Act (annual and other reports) shall not apply to activities of the Monopolies Commission on which the Director is required to report by this section.

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