



# Electricity Act 1989

## 1989 CHAPTER 29

### PART I

#### ELECTRICITY SUPPLY

##### *Modification of licences*

### 13 Reports on modification references.

(1) In making a report on a reference under section 12 above, the [<sup>F1</sup>Competition Commission]—

- (a) shall include in the report definite conclusions on the questions comprised in the reference together with such an account of their reasons for those conclusions as in their opinion is expedient for facilitating a proper understanding of those questions and of their conclusions;
- (b) where they conclude that any of the matters specified in the reference operate, or may be expected to operate, against the public interest, shall specify in the report the effects adverse to the public interest which those matters have or may be expected to have; and
- (c) where they conclude that any adverse effects so specified could be remedied or prevented by modifications of the [<sup>F2</sup>relevant conditions], shall specify in the report modifications by which those effects could be remedied or prevented.

<sup>F3</sup>(2) .....

(3) Section 82 of the 1973 Act (general provisions as to reports) shall apply in relation to reports of the [<sup>F1</sup>Competition Commission] on references under section 12 above as it applies to reports of the Commission under that Act.

(4) A report of the [<sup>F1</sup>Competition Commission] on a reference under section 12 above shall be made to the Director.

(5) Subject to subsection (6) below, the Director—

*Status: Point in time view as at 01/10/2001. This version of this provision has been superseded.*

*Changes to legislation: Electricity Act 1989, Section 13 is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (a) shall, on receiving [<sup>F4</sup>a report on a reference under section 12(1), send a copy of it to the licence holder] and to the Secretary of State; and
- (b) shall, not less than 14 days after that copy is received by the Secretary of State, [<sup>F5</sup>send another copy to the Council and publish that other copy] in such manner as he considers appropriate for bringing the report to the attention of persons likely to be affected by it.

[<sup>F6</sup>(5A) Subject to subsection (6), the Authority shall—

- (a) on receiving a report on a reference under section 12(1A), send a copy of it to the Secretary of State; and
- (b) not less than 14 days after that copy is received by the Secretary of State—
  - (i) send another copy to the Council and to each relevant licence holder; and
  - (ii) not less than 24 hours after complying with sub-paragraph (i) above, publish the copy sent to the Council in such manner as it considers appropriate for bringing the report to the attention of persons likely to be affected by it.]

- (6) If it appears to the Secretary of State that the publication of any matter in such a report would be against the public interest or the commercial interests of any person, he may, before the end of the period of 14 days mentioned in [<sup>F7</sup>subsection (5) or (5A), direct the Authority to exclude that matter from the copy of the report, or (as the case may be) each copy of the report, to be sent and published as mentioned in paragraph (b) of that subsection]

#### Textual Amendments

- F1** Words in S. 13(1)(2)(3)(4) substituted (1.4.1999) by S.I. 1999/506, **art. 24(b)**
- F2** Words in s. 13(1)(c) substituted (1.10.2001) by 2000 c. 27, **s. 37(2)**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F3** S. 13(2) repealed (1.3.2000) by 1998 c. 41, ss. 54(3), 66(5), 74(3), Sch. 10 Pt. IV para. 12(3), **Sch. 14 Pt. I** (with s. 73); S.I. 2000/344, art. 2, **Sch.**
- F4** Words in s. 13(5)(a) substituted (1.10.2001) by 2000 c. 27, **s. 37(3)(a)**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F5** Words in s. 13(5)(b) substituted (1.10.2001) by 2000 c. 27, **s. 37(3)(b)**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F6** S. 13(5A) inserted (1.10.2001) by 2000 c. 27, **s. 37(4)**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)
- F7** Words in s. 13(6) substituted (1.10.2001) by 2000 c. 27, **s. 37(5)**; S.I. 2001/3266, art. 2, **Sch.** (subject to transitional provisions in arts. 3-20)

**Status:**

Point in time view as at 01/10/2001. This version of this provision has been superseded.

**Changes to legislation:**

Electricity Act 1989, Section 13 is up to date with all changes known to be in force on or before 21 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.