



# Utilities Act 2000

## CHAPTER 27

### UTILITIES ACT 2000

#### PART I

##### NEW REGULATORY ARRANGEMENTS

- 1 Gas and Electricity Markets Authority.
- 2 Gas and Electricity Consumer Council.
- 3 Transfer to Authority and Council of functions, property etc.
- 4 Forward work programmes.
- 5 Annual and other reports of Authority.
- 6 Publication of advice and information about consumer matters.
- 7 Co-operation between Authority and Council.
- 8 Payments by licence holders relating to new arrangements.

#### PART II

##### OBJECTIVES OF REGULATION OF GAS AND ELECTRICITY

###### *Gas*

- 9 Objectives and duties under 1986 Act.
- 10 Guidance on social and environmental matters in relation to gas.
- 11 Health and safety in relation to gas.
- 12 Exceptions from the general duties under 1986 Act.

###### *Electricity*

- 13 Objectives and duties under 1989 Act.
- 14 Guidance on social and environmental matters in relation to electricity.
- 15 Health and safety in relation to electricity.
- 16 Exceptions from the general duties under 1989 Act.

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### PART III

#### FUNCTIONS OF THE COUNCIL

- 17 Preliminary.
- 18 Acquisition and review of information.
- 19 Provision of advice and information to public authorities and other persons.
- 20 Provision of information to consumers.
- 21 Power to publish advice and information about consumer matters.
- 22 Complaints.
- 23 Investigations.
- 24 Provision of information to Council.
- 25 Publication of notice of reasons.
- 26 Provision of information by Council to Authority.
- 27 Sections 24 to 26: supplementary.

### PART IV

#### AMENDMENT OF THE ELECTRICITY ACT 1989

##### *Electricity licensing*

- 28 Prohibition on unlicensed distribution of electricity.
- 29 Exemptions from electricity licensing.
- 30 Licences authorising supply etc. of electricity.
- 31 Enactments referring to public electricity suppliers.
- 32 Electricity licence conditions.
- 33 Standard conditions of electricity licences.
- 34 Modification of conditions of particular licence.
- 35 Modification of standard conditions of licences.
- 36 Electricity licence modification references.
- 37 Reports on modification references.
- 38 Modification following report.
- 39 Competition Commission's power to veto modifications.
- 40 Modification by order under other enactments.
- 41 Transfer of electricity licences.
- 42 Reasons for decisions under 1989 Act.
- 43 Altering activities requiring electricity licence.

##### *Duties of electricity distributors*

- 44 Duty to connect on request.
- 45 Abolition of tariffs.
- 46 Power to recover expenditure.
- 47 Power to require security.
- 48 Additional terms of connection.
- 49 Special agreements with respect to connection.
- 50 General duties of electricity distributors.

##### *Electricity code and metering*

- 51 The electricity code.
- 52 Amendment of Schedule 7 to 1989 Act.

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### *Powers of electricity licence holders*

- 53 Powers of electricity licence holders.

#### *Electricity performance standards*

- 54 Standards of performance in individual cases.  
55 Overall standards of performance.  
56 Standards of performance: procedures.  
57 Information with respect to levels of performance.  
58 Information to be given to customers.

#### *Enforcement of obligations*

- 59 Financial penalties.  
60 Licence enforcement.

#### *Remuneration and service standards*

- 61 Links between directors' remuneration and electricity service standards.

#### *Electricity from renewable sources*

- 62 Obligation in connection with electricity from renewable sources.  
63 Orders under section 32: supplementary.  
64 Green certificates.  
65 Alternative way of discharging renewables obligation: payments.  
66 Abolition of fossil fuel levy.  
67 Supplementary.

#### *Miscellaneous*

- 68 Modification of licences: electricity trading arrangements.  
69 Help for disadvantaged groups of electricity customers.  
70 Energy efficiency requirements for electricity distributors and suppliers.  
71 General duties of transmission licence holders in Scotland.  
72 Uniform prices etc. in certain areas of Scotland.  
73 Maximum prices for reselling electricity.

## **PART V**

### **AMENDMENT OF THE GAS ACT 1986**

#### *Gas licensing*

- 74 Gas licence conditions.  
75 Exceptions from section 5 of 1986 Act.  
76 Gas transporters.  
77 Restriction on use of certain pipe-lines for providing a supply of gas.  
78 Construction of pipe-lines by gas transporters.  
79 Duty to facilitate competition.  
80 Gas transporters' duty to make a connection.  
81 Standard conditions of gas licences.  
82 Modification of standard conditions of gas licences.  
83 Modification following Competition Commission report.  
84 The gas code.  
85 Transfer of gas licences.

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- 86 Exemptions from gas licensing.
- 87 Reasons for decisions under 1986 Act.
- 88 Altering activities requiring gas licence.

#### *Gas performance standards*

- 89 Repeal of section 10(2) to (5) of Gas Act 1995.
- 90 Standards of performance in individual cases.
- 91 Overall standards of performance.
- 92 Standards of performance: procedures.
- 93 Information with respect to levels of performance.
- 94 Information to be given to customers.

#### *Enforcement of obligations*

- 95 Financial penalties.
- 96 Licence enforcement.

#### *Remuneration and service standards*

- 97 Links between directors' remuneration and gas service standards.

#### *Miscellaneous*

- 98 Help for disadvantaged groups of gas customers.
- 99 Energy efficiency requirements for gas transporters and suppliers.
- 100 Exercise of powers to make regulations.
- 101 Standards of gas quality.
- 102 Maximum prices for reselling gas.

### **PART VI**

#### MISCELLANEOUS AND SUPPLEMENTARY

#### *Miscellaneous*

- 103 Overall energy efficiency targets.
- 104 Specialist members of the Competition Commission.
- 105 General restrictions on disclosure of information.

#### *Supplementary*

- 106 Interpretation.
- 107 Financial provisions.
- 108 Amendments, transitional provisions and repeals.
- 109 Power to make transitional provision etc.
- 110 Short title, commencement and extent.

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### SCHEDULES

#### SCHEDULE 1 — The Gas and Electricity Markets Authority

#### *Membership*

- 1 (1) The Authority shall consist of a chairman, and no...

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*Terms of appointment, remuneration, pensions etc.*

- 2 (1) Subject to this Schedule, the chairman and other members...
- 3 (1) An appointment of a person to hold office as...
- 4 (1) The Authority shall pay to the chairman and other...

*Staff*

- 5 The Authority may, with the approval of the Minister for...

*Committees*

- 6 (1) The Authority may establish committees and any committee of...

*Proceedings etc.*

- 7 (1) The Authority may regulate its own procedure (including quorum)....
- 8 (1) The application of the seal of the Authority to...

*Performance of functions*

- 9 (1) Anything authorised or required to be done by the...
- 10 The Statutory Instruments Act 1946 shall apply to any power...

*Supplementary powers*

- 11 (1) The Authority has power to do anything which is...

SCHEDULE 2 — The Gas and Electricity Consumer Council

*Membership of Council*

- 1 (1) The Council shall consist of a chairman and such...
- 2 (1) A person holding office as chairman or other member...

*Terms of appointment, remuneration, pensions etc.*

- 3 The Council shall pay to the chairman and other members...
- 4 (1) If the Secretary of State so determines in the...

*Staff*

- 5 (1) The Council shall, with the approval of the Secretary...

*Annual reports*

- 6 (1) As soon as practicable after the end of each...

*Financial provisions and accounts*

- 7 It shall be the duty of the Council to comply...
- 8 (1) The Council shall prepare, in respect of each financial...
- 9 The Secretary of State shall pay to the Council such...

*Regional and other committees and sub-committees*

- 10 The Council may establish committees (in addition to the regional...
- 11 (1) The Council shall not establish or abolish a regional...
- 12 (1) A regional or other committee of the Council shall...

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- 13 The Council may pay to the chairman and other members...  
14 (1) If the Secretary of State so determines in the...

*Performance of functions of the Council*

- 15 Anything authorised or required to be done by the Council...  
16 The validity of anything done by the Council is not...

*Supplementary powers*

- 17 (1) The Council shall have power to do anything which...

SCHEDULE 3 — Further provision about transfers of functions, property etc.

*Preliminary*

- 1 In this Schedule— “transfer” means— a transfer of functions under...

*Contents of transfer schemes*

- 2 (1) The property, rights and liabilities which may be transferred...  
3 A transfer scheme may define the property, rights and liabilities...  
4 A transfer scheme may include such supplementary, incidental, transitional and...

*Modification of transfer scheme after appointed day*

- 5 (1) If, after the day appointed by a transfer scheme,...

*Effect of transfers*

- 6 (1) Anything done by the transferor for the purpose of...  
7 There may be continued by or in relation to the...  
8 The transferee shall be substituted for the transferor in any...

*Continuity of employment, etc. of transferred employees*

- 9 (1) Where a person employed in the civil service of...

SCHEDULE 4 — Schedule to be substituted for Schedule 6 to the 1989 Act

SCHEDULE 5 — Electricity metering

- 1 Schedule 7 to the 1989 Act (use etc. of electricity)...  
2 (1) For the expression “electricity supplier” in each place it...  
3 (1) Paragraph 1 (consumption to be ascertained by appropriate meter)...  
4 In paragraph 3 (offences relating to use of meter), after...  
5 In paragraph 5(3) (certification without examination or testing of certain...  
6 In paragraph 6 (apparatus for testing etc. meters)—  
7 In paragraph 10 (meters to be kept in proper order)—...  
8 In paragraph 12 (pre-payment meters) for sub-paragraph (2) there is...

SCHEDULE 6 — Minor and consequential amendments

Part I — GAS ACT 1986

- 1 The Gas Act 1986 is amended as follows.  
2 (1) In the following provisions, for “public gas transporter”, in...

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- 3 In section 5 (prohibition on unlicensed activities), in subsection (1)(a)...
- 4 In section 7 (licensing of public gas transporters), in subsections...
- 5 In section 7B (general provisions about licences), subsection (4)(d)  
(which...
- 6 In section 7B(9)— (a) in paragraph (b)—
- 7 In section 15A (billing disputes)— (a) for “domestic customer” (in...
- 8 (1) Section 24 (modification references to Competition Commission) is  
amended...
- 9 In section 27(3) and (4) (modification by order under other...
- 10 In section 27A(1) (determination of certain disputes) for “domestic  
customer”...
- 11 In section 28(5)(a) (circumstances in which the Authority may not...
- 12 In section 28 (orders for securing compliance with certain provisions),...
- 13 In section 33A (standards of performance in individual cases)—
- 14 In section 33C (information with respect to levels of performance),...
- 15 Section 33E (procedures for dealing with complaints) shall cease to...
- 16 In section 36(2) (keeping of register), in paragraph (c)—
- 17 In section 38 (power to require information etc.)—
- 18 In section 46(3), for “his authorised area” there is substituted...
- 19 In section 48(1) (interpretation of Part I)—
- 20 In section 62, after subsection (2A) there is inserted—
- 21 In section 64(2) (orders) after “section” there is inserted “...
- 22 In section 66 (interpretation)— (a) after the definition of “the...
- 23 In Schedule 2B (the gas code), in paragraph 8—  
Part II — ELECTRICITY ACT 1989
- 24 The Electricity Act 1989 is amended as follows.
- 25 In section 12(7) (matters to which the Competition Commission is...
- 26 (1) Section 23 (determination of disputes) is amended as follows...
- 27 In section 25(5)(a) (circumstances in which the Authority may not...
- 28 In section 25 (orders for securing compliance with certain provisions),...
- 29 (1) Section 28 (power to require information etc.) is amended...
- 30 (1) Section 29 (regulations relating to supply and safety of...
- 31 (1) Section 30 (electrical inspectors) is amended as follows.
- 32 In section 39 (standards of performance in individual cases)—
- 33 In section 40 (overall standards of performance)—
- 34 In section 42 (information with respect to levels of performance)—...
- 35 Section 42B (procedures for dealing with complaints) shall cease to...
- 36 (1) Section 44A (billing disputes) is amended as follows.
- 37 In section 59 (making of false statements etc.) in subsection...
- 38 (1) Section 64(1) (interpretation of Part I) is amended as...
- 39 In section 106(2) (regulations and orders), in paragraph (b), after...
- 40 In section 111(1) (interpretation)— (a) after the definition of “Area...

Part III — OTHER ACTS

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

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

*Public Records Act 1958 (c. 51)*

- 42 In Schedule 1 to the Public Records Act 1958 (definition...

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*Parliamentary Commissioner Act 1967 (c. 13)*

- 43 In Schedule 2 to the Parliamentary Commissioner Act 1967 (departments...

*Superannuation Act 1972 (c. 11)*

- 44 (1) In Schedule 1 to the Superannuation Act 1972, in...

*House of Commons Disqualification Act 1975 (c. 24)*

- 45 In Part II of Schedule 1 to the House of...

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

- 46 In section 70 of the Bankruptcy (Scotland) Act 1985 (supplies...

*Insolvency Act 1986 (c. 45)*

- 47 (1) The Insolvency Act 1986 is amended as follows.

SCHEDULE 7 — Transitional provisions and savings

Part I — SEPARATION OF ELECTRICITY SUPPLY AND DISTRIBUTION

*Application and purpose of Part I*

- 1 (1) This paragraph applies to any holder of an existing...

*Nominations and transfer schemes*

- 2 (1) Before such date as the Secretary of State may...  
3 (1) If the supplier is a supplier to whom paragraph...  
4 The Secretary of State may, on the application of a...

*Secretary of State's powers in relation to transfer schemes*

- 5 (1) A transfer scheme shall not take effect unless it...

*Effect of transfer scheme*

- 6 (1) Subject to the provisions of paragraph 7, on the...

*Supplementary provisions as to transfers*

- 7 (1) The provisions of Schedule 10 to the 1989 Act...

*Shares issued in pursuance of a transfer scheme*

- 8 Any shares issued to the supplier or to an associate...

*Statutory accounts*

- 9 (1) This paragraph has effect for the purposes of any...

*Consequential modifications of rating provisions*

- 10 (1) This paragraph applies where any transfer effected by paragraph...



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### *Interpretation*

11 In this Part of this Schedule— “effective date” has the...

12 (1) For the purposes of this Part of this Schedule...

#### Part II — SECRETARY OF STATE’S LICENSING SCHEMES

#### *Existing electricity supply licences*

13 (1) This paragraph applies to any holder of an existing...

14 (1) The Secretary of State shall as soon as practicable...

15 (1) The Secretary of State shall as soon as practicable...

16 (1) The Secretary of State shall as soon as practicable...

17 (1) Subject to sub-paragraph (2), a scheme under paragraph 13,...

#### *Existing generation and transmission licences*

18 (1) The Secretary of State may, before the day on...

#### *Existing gas licences*

19 (1) The Secretary of State may, before the day on...

#### *Effect of licensing schemes*

20 (1) On the day on which a scheme under this...

#### *Provision of information by licence holders*

21 (1) It shall be the duty of each holder of...

#### *Consultation by Secretary of State*

22 The Secretary of State shall not exercise any function conferred...

#### Part III — FORMER TARIFF CUSTOMERS

23 (1) This paragraph applies where immediately before the commencement date...

#### Part IV — OTHER TRANSITIONAL PROVISIONS AND SAVINGS

#### *Compensation for members of abolished consumer bodies*

24 The Secretary of State may pay to any person who...

#### *Consultation by Council before establishing regional committees*

25 The requirements in paragraph 11(2) to (4) of Schedule 2...

#### *First financial years of Authority and Council*

26 (1) In this paragraph “the body” means the Authority or...

#### *First forward work programmes of Authority and Council*

27 The Authority’s first forward work programme required by section 4(1)...

28 (1) The Council’s first forward work programme required by section...

#### *Last annual reports of the Directors*

29 (1) After the abolition of the offices of Director General...

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*Last annual report of the Gas Consumers' Council*

30 (1) After the abolition of the Gas Consumers' Council, any...

*Investigations being carried out under the 1986 Act*

31 (1) This paragraph applies to any matter—

*Investigations being carried out under the 1989 Act*

32 (1) This paragraph applies to any matter—

SCHEDULE 8 — Repeals

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