

Status: Point in time view as at 21/08/2006.

Changes to legislation: Utilities Act 2000, Part III is up to date with all changes known to be in force on or before 07 September 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)

SCHEDULES

SCHEDULE 7 **U.K.**

TRANSITIONAL PROVISIONS AND SAVINGS

PART III U.K.

FORMER TARIFF CUSTOMERS

- 23 (1) This paragraph applies where immediately before the commencement date a public electricity supplier (“the supplier”) is supplying tariff customers with electricity.
- (2) The supplier’s supply successor shall be deemed to have contracted with those customers for the supply of electricity as from that day.
- (3) The express terms and conditions of a contract which, by virtue of sub-paragraph (2), is deemed to have been made by the supplier shall be provided for by the scheme under this paragraph which relates to that supplier.
- (4) Before such date as the Secretary of State may direct, the supplier shall make a scheme for determining the terms and conditions which are to be incorporated in the contracts which, by virtue of sub-paragraph (2), are to be deemed to have been made by the supplier.
- (5) A scheme under this paragraph may (subject to section 7B of the 1989 Act)—
- (a) make different provisions for different cases or classes of cases, or for different areas, determined by, or in accordance with, the provisions of the scheme; and
 - (b) make such supplemental, incidental, consequential and transitional provisions as the supplier considers appropriate.
- (6) A scheme under this paragraph shall not take effect unless it is approved by the Authority; and the Authority may modify such a scheme before approving it.
- (7) If, in relation to such a scheme—
- (a) the supplier fails, before the date specified under sub-paragraph (4), to submit the scheme for the approval of the Authority; or
 - (b) the Authority decides not to approve the scheme that has been submitted by the supplier (either with or without modifications),
- the Authority may itself make the scheme.
- (8) It shall be the duty of the supplier to provide the Authority with all such information and other assistance as it may require for the purposes of or in connection with the exercise of any function conferred by sub-paragraph (6) or (7).
- (9) The Authority shall not exercise any function conferred by sub-paragraph (6) or (7) except after consultation with the supplier.

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(10) A scheme made under this paragraph shall be published in the London and Edinburgh Gazettes before the commencement date and shall come into operation on that date; and conclusive evidence of a scheme so made may be given in all courts of justice and in all legal proceedings whatever by the production of a copy of either of those Gazettes purporting to contain it.

(11) In this paragraph—

“commencement date” means the date on which section 45 comes into force; and

“supply successor”, in relation to a public electricity supplier, means the person who becomes an electricity supplier by virtue of a scheme made by or in relation to that public electricity supplier under Part II of this Schedule.

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