

Changes to legislation: Energy Act 2004, Cross Heading: Effect of scheme is up to date with all changes known to be in force on or before 26 June 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) View outstanding changes

SCHEDULES

SCHEDULE 21

ENERGY TRANSFER SCHEMES

Modifications etc. (not altering text)

- C1 Sch. 21 modified (1.10.2005) by [Energy Administration Rules 2005 \(S.I. 2005/2483\)](#), rules 1, **184** (with rules 3, 187)
- C1 Sch. 21 applied (with modifications) (18.12.2011) by [Energy Act 2011 \(c. 16\)](#), **ss. 96(1)-(4)**, 121(3)
- C1 Sch. 21 modified (7.6.2013) by [The Energy Supply Company Administration Rules 2013 \(S.I. 2013/1046\)](#), rules 1, **205(2)-(4)** (with rules 3, 208)
- C1 Sch. 21 applied (with modifications) (23.7.2018) by [Smart Meters Act 2018 \(c. 14\)](#), **ss. 4(1)-(4)**, 14(5)
- C1 Schs. 20, 21 modified (E.W.) (1.8.2020) by [The Smart Meter Communication Licensee Administration \(England and Wales\) Rules 2020 \(S.I. 2020/629\)](#), rules 1, **3(2)-(4)** (with rule 4(1))
- C1 Sch. 21 applied (with modifications) (31.3.2022 for specified purposes, 1.6.2022 in so far as not already in force) by [Nuclear Energy \(Financing\) Act 2022 \(c. 15\)](#), **ss. 33(1)-(5)**, 44(1)(c)(2)(c)
- C1 [Sch. 21](#) power to apply (with modifications) conferred (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), s. 334(2)(1), **Sch. 18 para. 50**
- C1 [Sch. 21](#) applied (with modifications) (26.12.2023) by [Energy Act 2023 \(c. 52\)](#), **ss. 44**, 334(3)(a)

Effect of scheme

- 8 (1) In relation to each provision of an energy transfer scheme for the transfer of property, rights or liabilities, or for the creation of interests, rights or liabilities—
- (a) this Act shall have effect so as, without further assurance, to vest the property or interests, or those rights or liabilities, in the transferee at the time appointed by the court for the purposes of paragraph 3(4); and
 - (b) the provisions of that scheme in relation to that property or those interests, or those rights or liabilities, shall have effect from that time.
- (2) In this paragraph “the transferee”—
- (a) in relation to property, rights or liabilities transferred by an energy transfer scheme, means the new energy company; and
 - (b) in relation to interests, rights or liabilities created by such a scheme, means the person in whose favour, or in relation to whom, they are created.
- (3) In its application to Scotland, sub-paragraph (1) has effect with the omission of the words “without further assurance”.

Commencement Information

- II Sch. 21 para. 8 in force at 5.10.2004 by [S.I. 2004/2575](#), art. 2(1), **Sch. 1**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 88(1)(a) words substituted by [S.I. 2024/706 reg. 7\(a\)](#)
- s. 137(3)(c)-(e) inserted by [2011 c. 16 s. 117\(b\)](#)
- s. 173(2C) inserted by [2023 c. 52 Sch. 14 para. 10](#)
- Sch. 22 para. 4(1A) inserted by [2023 c. 52 Sch. 14 para. 11\(2\)\(b\)](#)