

# **ENERGY ACT 2010**

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## **EXPLANATORY NOTES**

### **PART 4: FINAL PROVISIONS**

#### **COMMENTARY ON SECTIONS**

##### ***Section 32: Modifications of licences etc: Parliamentary procedure***

145. This section sets out the procedure that the Secretary of State must comply with in order to exercise the licence modification powers conferred by sections 18(1) or 25(1). Subsections (1) and (2) provide that before making modifications, the Secretary of State must lay a draft before Parliament and allow a period of 40 days for either House of Parliament to reject the draft. Subsections (5) and (6) specify how the 40-day period is to be calculated.
146. Subsection (2) means that if either House of Parliament resolves not to approve the draft then the Secretary of State cannot introduce the licence modification as drafted. In this situation, subsection (4) allows the Secretary of State to lay a new draft of the licence modifications before Parliament. Subsection (3) means that unless Parliament resolves not to approve the draft the Secretary of State will be free to make the modifications as drafted.