



# Energy Act 2010

## 2010 CHAPTER 27

### PART 3

#### REGULATION OF GAS AND ELECTRICITY MARKETS

##### *Exploitation of electricity trading and transmission arrangements*

#### **20 Final and provisional orders: appeals**

- (1) This section applies in relation to any final or provisional order under section 25 of the Electricity Act 1989 which relates to a relevant condition (within the meaning of that section) that has effect by virtue of the exercise of the power in section 18(1).
- (2) The licence holder to whom the order relates may appeal to the Tribunal against the order.
- (3) On an appeal under this section, the Tribunal may do either or both of the following—
  - (a) redetermine the appealed matter, in whole or in part;
  - (b) remit the appealed matter, in whole or in part, to the Authority.
- (4) If the Tribunal redetermines the appealed matter, the Tribunal may do one or more of the following—
  - (a) uphold the order, in whole or in part;
  - (b) set aside the order, in whole or in part;
  - (c) substitute for the order, in whole or in part, the Tribunal's own final or provisional order.
- (5) Unless the Tribunal orders otherwise, an obligation of a person to comply with the order is not affected by the making of an appeal under this section against the order.
- (6) Subsections (2) to (5) do not restrict the power to make Tribunal rules; and those subsections are subject to Tribunal rules.
- (7) Except as provided by this section, the validity of the order may not be questioned by any legal proceedings whatever.

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*Status: Point in time view as at 16/07/2012.*

*Changes to legislation: There are currently no known outstanding effects for the Energy Act 2010, Section 20. (See end of Document for details)*

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(8) A decision of the Tribunal on an appeal under this section has the same effect as, and may be enforced in the same manner as, a decision of the Authority.

(9) In this section—

“appealed matter” means the matter to which the order relates;

“Tribunal” means the Competition Appeal Tribunal;

“Tribunal rules” means rules under section 15 of the Enterprise Act 2002.

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**Commencement Information**

**II** S. 20 in force at 16.7.2012 by S.I. 2012/1841, art. 2(a)

**Status:**

Point in time view as at 16/07/2012.

**Changes to legislation:**

There are currently no known outstanding effects for the Energy Act 2010, Section 20.