



# Energy Act 2011

## 2011 CHAPTER 16

### PART 2

#### SECURITY OF ENERGY SUPPLIES

### CHAPTER 5

#### SPECIAL ADMINISTRATION

#### *Special administration under this Chapter*

#### **96 Application of certain provisions of the Energy Act 2004 in relation to esc administration orders**

- (1) Sections 156 to 167 of, and Schedules 20 and 21 to, the Energy Act 2004 (special administration regime for energy licensees) apply in relation to an esc administration order as they apply in relation to an energy administration order within the meaning given by section 154(1) of that Act, but with the modifications set out in subsections (2) to (4).
- (2) In the application of those provisions generally—
  - (a) for “energy administration”, in each place where it occurs, substitute “energy supply company administration”;
  - (b) for “a protected energy company”, in each place where it occurs, substitute “an energy supply company”.
- (3) In the application of Schedule 20—
  - (a) in paragraph 32(d), for the words from ““energy administration application”” to “Energy Act 2004” substitute ““energy supply company administration application” means an application to the court for an energy supply company administration order under Chapter 3 of Part 3 of the Energy Act 2004, as applied by section 96 of the Energy Act 2011”;

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*Status: This is the original version (as it was originally enacted).*

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- (b) in paragraph 32(e), for “section 155 of the Energy Act 2004” substitute “section 95 of the Energy Act 2011”;
  - (c) in paragraph 36, for “section 154(4) of this Act” substitute “section 94(4) of the Energy Act 2011”;
  - (d) in paragraph 43, after “the Energy Act 2004” insert “and section 96 of the Energy Act 2011”;
  - (e) in paragraph 44(5), after “the Energy Act 2004” insert “and section 96 of the Energy Act 2011”;
  - (f) in paragraph 45, after “section 157(1)(e) of this Act” insert “as applied by section 96 of the Energy Act 2011”;
  - (g) in paragraph 47, after “Part 1 of this Schedule” insert “and section 96 of the Energy Act 2011”.
- (4) In the application of Schedule 21—
- (a) in paragraph 1(b), for “section 155(3)” substitute “section 95(3) of the Energy Act 2011”;
  - (b) in paragraph 12, for “section 155” substitute “section 95 of the Energy Act 2011”.
- (5) Sections 171 and 196 of the Energy Act 2004 (interpretation) apply for the purposes of the application by subsection (1) of the provisions mentioned in that subsection, but with the modifications set out in subsection (6).
- (6) In the application of section 171(1)—
- (a) insert, at the appropriate places, the following definitions—
    - ““energy supply company” has the meaning given by section 94(5) of the Energy Act 2011;”;
    - ““energy supply company administration order” has the meaning given by section 94(1) of the Energy Act 2011;”;
    - ““energy supply company administration rules” means rules made under section 411 of the 1986 Act by virtue of section 159(3) of this Act, for the purpose of giving effect to this Chapter as applied by section 96 of the Energy Act 2011;”;
    - ““objective of the energy supply company administration” is to be construed in accordance with section 95 of the Energy Act 2011;”;
  - (b) in the definition of “energy administrator” for “section 154(2)” substitute “section 94(2) of the Energy Act 2011”;
  - (c) in the definition of “relevant licence” for “section 154(5)” substitute “section 94(5) of the Energy Act 2011”.