



Nuclear Energy (Financing) Act 2022

2022 CHAPTER 15

PART 2

REVENUE COLLECTION CONTRACTS

Miscellaneous and interpretation

29 Licence modifications

- (1) The Secretary of State may modify—
 - (a) a condition of a particular licence under section 6(1)(b) or (c) of the Electricity Act 1989 (transmission and distribution licences);
 - (b) the standard conditions incorporated in licences under section 6(1)(b) or (c) of the Electricity Act 1989 by virtue of section 8A of that Act;
 - (c) a document maintained in accordance with the conditions of licences under section 6(1)(b) or (c) of the Electricity Act 1989 or an agreement that gives effect to a document so maintained.
- (2) The Secretary of State may make a modification under [subsection \(1\)](#) only for the purpose of—
 - (a) allowing or requiring services to be provided to a revenue collection counterparty;
 - (b) enforcing obligations under a revenue collection contract.
- (3) Provision included in a licence, or in a document or agreement relating to licences, by virtue of [subsection \(1\)](#) may in particular include provision of a kind that may be included in revenue regulations.
- (4) Before making a modification under [subsection \(1\)](#), the Secretary of State must consult—
 - (a) the Scottish Ministers,
 - (b) the Welsh Ministers,
 - (c) the holder of any licence being modified,

Changes to legislation: There are currently no known outstanding effects for the Nuclear Energy (Financing) Act 2022, Section 29. (See end of Document for details)

- (d) every holder of a licence to supply electricity under section 6(1)(d) of the Electricity Act 1989,
 - (e) the Authority, and
 - (f) such other persons as the Secretary of State considers appropriate.
- (5) **Subsection (4)** may be satisfied by consultation before the passing of this Act (as well as by consultation after that time).
- (6) The power under **subsection (1)**—
- (a) may be exercised generally, only in relation to specified cases or subject to exceptions (including provision for a case to be excepted only so long as specified conditions are satisfied);
 - (b) may be exercised differently for different purposes;
 - (c) includes power to make incidental, supplementary, consequential or transitional modifications.
- (7) Provision included in a licence, or in a document or agreement relating to licences, by virtue of **subsection (1)**—
- (a) may make different provision for different purposes;
 - (b) need not relate to the activities authorised by the licence;
 - (c) may do anything authorised for licences of that type by section 7(2A), (3), (4), (5) or (6A) of the Electricity Act 1989.
- (8) The Secretary of State must publish details of any modifications made under **subsection (1)** as soon as reasonably practicable after they are made.
- (9) If under **subsection (1)** the Secretary of State makes a modification of the standard conditions of a licence, the Authority must—
- (a) make the same modification of those standard conditions for the purposes of their incorporation in licences of that type granted after that time, and
 - (b) publish the modification.
- (10) A modification made under **subsection (1)** of part of a standard condition of a licence does not prevent any other part of the condition from continuing to be regarded as a standard condition for the purposes of Part 1 of the Electricity Act 1989.
- (11) The power conferred by **subsection (1)** to “modify” (in relation to licence conditions or a document or agreement) includes power to amend, add to or remove, and references to modifications are to be construed accordingly.

Commencement Information

II S. 29 in force at 1.6.2022, see s. 44(2)(b)

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