



# Energy Act 2023

## 2023 CHAPTER 52

### PART 7

#### MARKET REFORM AND CONSUMER PROTECTION

##### *Smart meters*

#### **215 Smart meters: extension of time for exercise of powers**

- (1) In section 88(5) of the Energy Act 2008 (expiry of power to amend licence conditions etc: smart meters), for “1 November 2023” substitute “1 November 2028”.
- (2) In the Gas Act 1986—
  - (a) in section 8AA(10D) (expiry of provisions requiring proposed transfer of smart meter communication licence to be notified to Secretary of State), for “1 November 2023” substitute “1 November 2028”;
  - (b) in section 41HB(2) (time limit for exercise of power to provide for activities connected with smart meters to be licensable activities), for “1 November 2023” substitute “1 November 2028”.
- (3) In the Electricity Act 1989—
  - (a) in section 7A(10D) (expiry of provisions requiring proposed transfer of smart meter communication licence to be notified to Secretary of State), for “1 November 2023” substitute “1 November 2028”;
  - (b) in section 56FB(2) (time limit for exercise of power to provide for activities connected with smart meters to be licensable activities), for “1 November 2023” substitute “1 November 2028”.
- (4) Subsections (5) and (6) apply if this section comes into force after 1 November 2023.
- (5) Section 89(1) of the Energy Act 2008 (duty to consult on modifications) may be satisfied by consultation before, as well as by consultation after, 1 November 2023.
- (6) Where—

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*Status: This is the original version (as it was originally enacted).*

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- (a) on or before 1 November 2023 the Secretary of State has, in accordance with section 89(3) of the Energy Act 2008, laid before Parliament a draft of proposed modifications under section 88 of that Act, and
- (b) on that date the 40-day period referred to in section 89(4) of that Act has not expired,

in calculating that 40-day period no account is to be taken of the period beginning with 2 November 2023 and ending immediately before the day on which this section comes into force.

(7) In the Smart Meters Act 2018, omit section 1.