

*Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Schedule 1. (See end of Document for details)*

## SCHEDULES

### SCHEDULE 1 **U.K.**

Section 16

#### INTERIM POWER OF SECRETARY OF STATE TO GRANT LICENCES

- 1 (1) Sections 7 to 12 are to have effect with the following modifications until the end of the interim period.
- (2) In this Schedule “the interim period” means the period beginning when this Schedule comes into force and ending with whatever day the Secretary of State specifies by regulations.
- (3) Regulations under this paragraph are subject to the negative procedure.

#### Commencement Information

**11** Sch. 1 para. 1 in force at 26.12.2023, see s. 334(3)(a)

- 2 In section 7 (power to grant licences)—
  - (a) in subsection (1) for “economic regulator” substitute “Secretary of State”;
  - (b) after subsection (2) insert—

“(3) As soon as practicable after granting a licence, the Secretary of State must send a copy of the licence to the economic regulator.”

#### Commencement Information

**12** Sch. 1 para. 2 in force at 26.12.2023, see s. 334(3)(a)

- 3 In section 9 (procedure for licence applications)—
  - (a) in subsection (1), in the words before paragraph (a), for “Secretary of State, or the economic regulator with the approval of the Secretary of State,” substitute “Secretary of State”;
  - (b) in subsection (4), for “economic regulator”, in each place it occurs, substitute “Secretary of State”;
  - (c) for subsection (5) substitute—

“(5) A notice under subsection (4) must be given by—
    - (a) sending a copy of the notice to the economic regulator and any appropriate devolved authority, and
    - (b) publishing the notice in such manner as the Secretary of State considers appropriate for bringing it to the attention of persons likely to be affected by the grant of the licence.”
  - (d) after subsection (10) insert—

“(10A) For the purposes of subsection (5), the “appropriate devolved authorities” are—

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- (a) the Scottish Ministers, if provision granting the licence in question would be within the legislative competence of the Scottish Parliament if it were contained in an Act of that Parliament;
- (b) the Welsh Ministers, if provision granting the licence in question would be within the legislative competence of Senedd Cymru if it were contained in an Act of the Senedd (ignoring any requirement for the consent of a Minister of the Crown imposed under Schedule 7B to the Government of Wales Act 2006);
- (c) the Department for the Economy in Northern Ireland, if provision granting the licence in question—
  - (i) would be within the legislative competence of the Northern Ireland Assembly if it were contained in an Act of that Assembly, and
  - (ii) would not, if it were contained in a Bill in the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State under section 8 of the Northern Ireland Act 1998.”

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**Commencement Information**

**I3** Sch. 1 para. 3 in force at 26.12.2023, see [s. 334\(3\)\(a\)](#)

- 4 In [section 12](#) (standard conditions of licences)—
- (a) in [subsection \(7\)\(b\)](#) omit “and the Secretary of State”;
  - (b) omit [subsection \(9\)](#).

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**Commencement Information**

**I4** Sch. 1 para. 4 in force at 26.12.2023, see [s. 334\(3\)\(a\)](#)

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