

*Status: Point in time view as at 11/01/2024. This version of this provision is prospective.*

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

## SCHEDULES

PROSPECTIVE

### SCHEDULE 12

#### GOVERNANCE OF GAS AND ELECTRICITY INDUSTRY CODES: TRANSITIONAL PROVISION

##### *Meaning of “qualifying document”, “qualifying contract” and “qualifying central system”*

- 1 (1) In this Schedule, “qualifying document” means a document that—
- (a) is maintained in accordance with the conditions of a relevant licence, and
  - (b) is designated for the purposes of this Schedule by notice given by the Secretary of State.
- (2) Where at any time after the day on which [this paragraph](#) comes into force the whole or part of the provision made by a qualifying document is incorporated into a different document (“document B”), document B is to be treated for the purposes of this Schedule as if it were a qualifying document even if it is not designated under [sub-paragraph \(1\)\(b\)](#).
- (3) In this Schedule, “qualifying contract” means a contract—
- (a) that constitutes the whole or part of the arrangements under which a qualifying document has effect,
  - (b) that relates to the governance of a qualifying document, or
  - (c) that is a central system contract.
- (4) For the purposes of [sub-paragraph \(3\)\(c\)](#), a contract is a “central system contract” if—
- (a) it relates to the operation of a qualifying central system, and
  - (b) the person responsible for operating or procuring the operation of the central system is a party to the contract.
- (5) In this Schedule, “qualifying central system” means a central system that is designated for the purposes of this Schedule by notice given by the Secretary of State.
- (6) The Secretary of State may revoke a designation under [sub-paragraph \(1\)\(b\)](#) or [\(5\)](#).
- (7) The Secretary of State may not designate a document or central system under [sub-paragraph \(1\)\(b\)](#) or [\(5\)](#), or revoke a designation, except so as to give effect to a recommendation of the GEMA.
- (8) Before making a recommendation to the Secretary of State for the purposes of [sub-paragraph \(7\)](#), the GEMA must consult such persons as it considers appropriate.

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### Commencement Information

**II** Sch. 12 para. 1 not in force at Royal Assent, see [s. 334\(1\)](#)

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