

Status: This version of this provision is prospective.
Changes to legislation: There are currently no known outstanding effects
for the Energy Act 2023, Paragraph 6. (See end of Document for details)

SCHEDULES

PROSPECTIVE

SCHEDULE 12

GOVERNANCE OF GAS AND ELECTRICITY INDUSTRY CODES: TRANSITIONAL PROVISION

Amendment or termination of qualifying contracts

- 6 (1) The GEMA may amend a qualifying contract.
- (2) Before making an amendment under [sub-paragraph \(1\)](#), the GEMA must—
- send a notice about the proposed amendment to the persons listed in [sub-paragraph \(4\)](#), and
 - consider any representations made within the period specified in the notice about the proposed amendment or the date from which it would take effect.
- (3) A notice under [sub-paragraph \(2\)](#) must—
- state that the GEMA proposes to make an amendment;
 - set out the proposed amendment and its effect;
 - specify the date from which the GEMA proposes that the amendment will have effect;
 - state the reasons why the GEMA proposes to make the amendment.
- (4) The persons mentioned in [sub-paragraph \(2\)\(a\)](#) are—
- each person who is a party to the contract to which the proposed amendment relates;
 - any person liable by virtue of [paragraph 12](#) to make a payment by way of compensation as a result of the proposed amendment;
 - such other persons as the GEMA considers appropriate.
- (5) If, after complying with [sub-paragraphs \(2\) to \(4\)](#) in relation to an amendment, the GEMA decides to make an amendment, it must send a notice to the persons listed in [sub-paragraph \(4\)](#) about the decision.
- (6) A notice under [sub-paragraph \(5\)](#) must—
- state that the GEMA has decided to make the amendment;
 - set out the amendment and its effect;
 - specify the date from which the amendment has effect;
 - state how the GEMA has taken account of any representations made in the period specified in the notice under [sub-paragraph \(2\)](#);
 - state the reason for any differences between the amendment set out in the notice and the proposed amendment.
- (7) In this paragraph, “amend”, in relation to a contract, includes terminate.

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Commencement Information

- II** Sch. 12 para. 6 not in force at Royal Assent, see [s. 334\(1\)](#)

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