

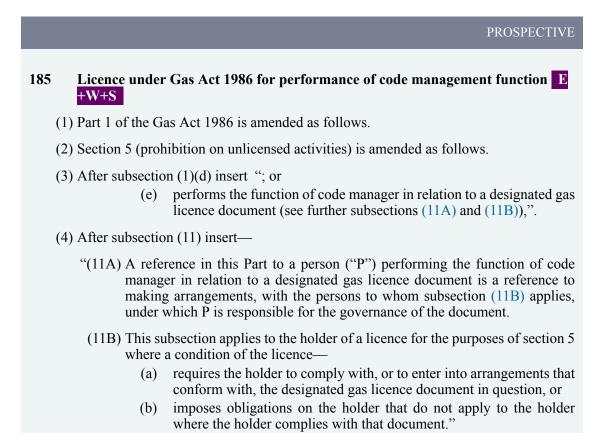
Energy Act 2023

# **2023 CHAPTER 52**

## PART 6 E+W+S

### GOVERNANCE OF GAS AND ELECTRICITY INDUSTRY CODES

Licensing and selection of code manager



- (5) In subsection (12)—
  - (a) omit the "and" after the definition of "relevant information";
  - (b) at the appropriate place insert—
    - ""designated gas licence document" means a document that is-
      - (a) maintained in accordance with the conditions of a licence for the purposes of section 5, and
      - (b) designated under section 182 of the Energy Act 2023;".

(6) After section 7AB insert—

### "7AC Licensing of a person performing code manager function

- (1) The Authority may grant a licence ("a code manager licence") authorising a person to perform the function of code manager in respect of a designated gas licence document.
- (2) Where a designated gas licence document is also a designated electricity licence document, a person may not be granted a code manager licence in respect of the document unless the same person is at the same time granted a licence under section 6(1)(g) of the Electricity Act 1989.
- (3) In this section—
  - "designated electricity licence document" has the same meaning as in section 4 of the Electricity Act 1989;
  - "designated gas licence document" has the same meaning as in section 5."
- (7) Section 7B (licences: general) is amended as follows.
- (8) In subsection (5A)—
  - (a) after "smart meter communication licence" (in the first place it occurs) insert "or in a code manager licence";
  - (b) for "smart meter communication licence" (in the second place it occurs) substitute "a licence of the same type".
- (9) In subsection (5B)—
  - (a) for "Secretary of State or the Authority" substitute "relevant authority";
  - (b) in paragraph (b)(ii), after "licence" insert "or (in the case of an application for a code manager licence) apply for a licence otherwise than as part of a competition".
- (10) In subsection (5C), after "smart meter communication licence" insert "or in a code manager licence".
- (11) In subsection (5D), for "the Secretary of State or the Authority" substitute "the relevant authority".
- (12) In subsection (5E)—
  - (a) in paragraph (a), for "Secretary of State or the Authority (as appropriate)" substitute "relevant authority";
  - (b) in paragraph (b), for "Secretary of State or the Authority (as appropriate)" substitute "relevant authority".

Status: This version of this provision is prospective. Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Section 185. (See end of Document for details)

(13) After subsection (5F) insert—

"(5FA) In subsections (5B) to (5E), "the relevant authority" means-

- (a) in relation to a smart meter communication licence, the Secretary of State or the Authority;
- (b) in relation to a code manager licence, the Authority."

(14) In section 8AA (transfer of licences), after subsection (11A) insert-

"(11B) Where the holder of a code manager licence is also the holder of a licence under section 6(1)(g) of the Electricity Act 1989, the code manager licence may not be transferred to a person unless the licence under section 6(1)(g) of that Act is transferred to the same person at the same time."

#### **Commencement Information**

II S. 185 not in force at Royal Assent, see s. 334(1)

## Status:

This version of this provision is prospective.

### Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Section 185.