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STATUTORY INSTRUMENTS

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**1993 No. 912**

**ELECTRICITY**

**The Electricity (Restrictive Trade Practices Act 1976) (Exemption) Order 1993**

<i>Made</i>	- - - -	<i>29th March 1993</i>
<i>Laid before Parliament</i>		<i>29th March 1993</i>
<i>Coming into force</i>	- -	<i>30th March 1993</i>

The Secretary of State, in exercise of the powers conferred on him by section 100(2)(b) of the Electricity Act 1989<sup>(1)</sup> and after consultation with the Director General of Electricity Supply and the Director General of Fair Trading<sup>(2)</sup>, hereby makes the following Order:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Electricity (Restrictive Trade Practices Act 1976) (Exemption) Order 1993 and shall come into force on the day after it is made.

(2) In this order—

“the Act” means the Electricity Act 1989;

“generating companies” means the companies designated under section 66(1)(a) of the Act;

“franchise market” means, in relation to a supply company, those premises to which only that company can make supplies in England and Wales by virtue of a licence for the supply of electricity granted under section 6 of the Act;

“supply company” means a company nominated for the purposes of section 65(1) of the Act.

2.—(1) The following description of agreement is specified for the purposes of section 100 of the Act.

(2) The specified description is any agreement in existence on 1st April 1993, or any variation or amendment thereto a copy of which has been supplied to the Secretary of State not later than one month of being entered into between generating companies, supply companies, the British Coal Corporation, other coal producers or any of them, for the purposes of enabling a supply of coal to be secured during the period 1st April 1993 to 31st March 1998 for generation of electricity to be sold on the franchise market under supply licences granted under Part I of the Act.

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(1) 1989 c. 29.

(2) See section 100(3) of the Electricity Act 1989.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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29th March 1993

*Michael Heseltine*  
Secretary of State for Trade and Industry

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order specifies a description of agreements relating to the generation, transmission or supply of electricity to which the Restrictive Trade Practices Act 1976 (c. 34) (“the 1976 Act”) is deemed not to apply and never to have applied. By virtue of section 100(1) of the Electricity Act 1989 electricity is treated as goods for the purposes of the 1976 Act. This Order provides that agreements meeting the description set out in paragraph 2 of the Order will nevertheless fall outside the provisions of the 1976 Act.