
EXPLANATORY NOTE

(This note is not part of these Regulations)

Section 6C of the Electricity Act 1989 (“the Act”) gives the Gas and Electricity Markets Authority (“the Authority”) the power to make regulations in respect of competitive tenders for any “relevant electricity project”, which is described in section 6BA(1).

In order for the Authority to determine whether a project is a “relevant electricity project” under section 6BA(1) of the Act, a project must satisfy the criteria specified in this instrument.

Different criteria apply to different types of project. In the case of competitive tenders where the design, construction and delivery of a project is tendered for, the applicable criteria are network need (regulation 4), novelty (regulation 5), separability (regulation 6) and consumer benefit (regulation 7). In the case of competitive tenders where the construction and delivery of a project is tendered for, the applicable criteria are network need (regulation 4), novelty (regulation 5), separability (regulation 6) and high value (regulation 8).

An impact assessment of the effect that this instrument will have on the costs to business and the voluntary sector is available from the Department for Energy Security and Next Zero at 3-8 Whitehall Place, London, S1A 2EG and is published with the Explanatory Memorandum alongside the instrument on legislation.gov.uk.