
STATUTORY INSTRUMENTS

2024 No. 409

**The Energy-Intensive Industry Electricity
Support Payments and Levy Regulations 2024**

PART 1 INTRODUCTION

Citation, commencement and extent

1. These Regulations may be cited as the Energy-Intensive Industry Electricity Support Payments and Levy Regulations 2024.
2. These Regulations come into force on whichever is the later of—
 - (a) the day after these Regulations are made;
 - (b) 1st April 2024.
3. These Regulations extend to England and Wales and Scotland.

Interpretation

4. In these Regulations—
 - “applicant” means the person who has submitted an application under regulation 7(1);
 - “associated claim month” has the meaning set out in the definition of “levy month”;
 - “the Balancing and Settlement Code” means the code for the governance of electricity balancing and settlement in Great Britain, as amended from time to time, which is maintained in accordance with the conditions of transmission licences granted under section 6(1)(b) of the Electricity Act 1989(1);
 - “calculation date” in relation to any levy month means the first working day of the month before that levy month;
 - “claim month” means any month in respect of which a claim is made under regulation 7(1);
 - “EII certificate” has the meaning given by regulation 8(1) of the Excluded Electricity Regulations;
 - “EII excluded electricity” has the meaning given in regulation 2(1) of the Excluded Electricity Regulations;
 - “EII levy administrator” means the company appointed under regulation 6(b);
 - “EII support payments administrator” means the company appointed under regulation 6(a);
 - “Excluded Electricity Regulations” means the Electricity Supplier Obligations (Amendment & Excluded Electricity) Regulations 2015(2);

(1) 1989 c. 29. Section 6 was substituted by section 30 of the Utilities Act 2000 (c. 27) and amended by section 89(3) of the Energy Act 2004 (c. 20) and S.I. 2011/2704. There are other amendments which are not relevant. The Code is accessible on the website of Elexon Limited at <https://www.elexon.co.uk/bsc-and-codes/> (their postal address is 4th Floor, 350 Euston Road London NW1 3AW; their email address is bscservicedesk@cgi.com).

(2) S.I. 2015/721. Relevant amendments were made by S.I. 2017/1051, S.I. 2020/130 and S.I. 2023/415.

“levy month” means the same month as a claim month, but in the following year (and that claim month shall be known as the “associated claim month” in relation to that levy month);

“network charges” means any charges—

- (a) within the meaning given to the term “use of system charges” in Condition 1 of the Standard Conditions of the Electricity Distribution Licence⁽³⁾, issued under section 6(1)(c) of the Electricity Act 1989;
- (b) within the meaning given to the term “use of system charges” in Condition C1 of the Standard Conditions of the Electricity Transmission Licence, issued under section 6(1)(b) of the Electricity Act 1989;
- (c) within the meaning given to the term “connection charge” in Condition 1 of the Standard Conditions of the Electricity Distribution Licence, issued under section 6(1)(c) of the Electricity Act 1989;
- (d) within the meaning given to the term “connection charge” in Condition C1 of the Standard Conditions of the Electricity Transmission Licence, issued under section 6(1)(b) of the Electricity Act 1989,

as any of those Conditions are amended from time to time;

“quarter” means a period of three months ending with 31 March, 30 June, 30 September or 31 December in any year;

“working day” means a day other than—

- (a) a Saturday or a Sunday;
- (b) Christmas Day or Good Friday;
- (c) a day which is a bank holiday in England and Wales or Scotland under the Banking and Financial Dealings Act 1971⁽⁴⁾.

Designation of energy-intensive activity

5. The activities described as “specified activities” in the Schedule to the Excluded Electricity Regulations are designated as energy-intensive activities for the purposes of these Regulations.

Appointment of administrators

6. Subject to regulation 31—

- (a) Elexon Ltd (company registration number 03782949) is appointed, with that person’s consent, to be the EII support payments administrator, and
- (b) Elexon Ltd (company registration number 03782949) is appointed, with that person’s consent, to be the EII levy administrator.

(3) Licences granted under section 6 of the Electricity Act 1989 can be viewed online at <https://www.ofgem.gov.uk/licences-codes-and-standards/licences>; at the offices of Ofgem, 10 South Colonnade, Canary Wharf, London, E14 4PU; or by emailing licensing@ofgem.gov.uk.

(4) 1971 c. 80.