
STATUTORY INSTRUMENTS

2024 No. 706

The Energy Act 2023 (Consequential Amendments) Regulations 2024

Part 4

Amendment of Secondary Legislation

Amendment of the Electricity Act 1989 (Uniform Prices in the North of Scotland) Order 2005

23. In article 5 of the Electricity Act 1989 (Uniform Prices in the North of Scotland) Order 2005 (use of transmission system charges)(1), after “the North of Scotland” insert “, or the holder of an electricity system operator licence,”.

Amendment of the Electricity (Offshore Generating Stations) (Safety Zones) (Application Procedures and Control of Access) Regulations 2007

24. In regulation 9(1)(f)(ii) of the Electricity (Offshore Generating Stations) (Safety Zones) (Application Procedures and Control of Access) Regulations 2007 (vessels and activities permitted in safety zones)(2), for “92(6)” substitute “6F(8) of the Electricity Act 1989”.

Amendment of the Renewables Obligation (Scotland) Order 2009

25. In article 33(4) of the Renewables Obligation (Scotland) Order 2009 (definition of “network operators”)(3)—

- (a) for “or (c)” substitute “, (c) or (da)”;
- (b) omit from “to participate” to the end.

Amendment of the Provision of Services Regulations 2009

26. In regulation 2(2) of the Provision of Services Regulations 2009 (services to which the Regulations do not apply)(4), after sub-paragraph (k) insert—

“(l) services provided by a person holding a licence (“a code manager licence”) under section 7AC of the Gas Act 1986 or section 6(1)(g) of the Electricity Act 1989.”.

Amendment of the Electricity and Gas Appeals (Designation and Exclusion) Order 2014

27.—(1) The Electricity and Gas Appeals (Designation and Exclusion) Order 2014(5) is amended as follows.

(1) S.I. 2005/490.
(2) S.I. 2007/1948, to which there are amendments not relevant to these Regulations.
(3) S.S.I. 2009/140.
(4) S.I. 2009/2999, to which there are amendments not relevant to these Regulations.
(5) S.I. 2014/1293.

- (2) In article 2 (interpretation)—
- (a) in paragraph (1)—
- (i) after the definition of “electricity supply licence” insert—
- ““electricity system operator licence” means a licence granted under section 6(1)(da) of the Electricity Act 1989;”;
- (ii) omit the definition of “transmission licence”;
- (b) after paragraph (2) insert—
- “(2A) A reference in this Order to a condition of an electricity system operator licence is to the version current at the date on which section 166(2) of the Energy Act 2023 (licensing of electricity system operator) came into force.”;
- (c) in paragraph (3), after “paragraph (2)”, insert “or paragraph (2A)”.
- (3) In article 3 (designation of document)—
- (a) in paragraph (a), for “Standard Condition” to the end, substitute “Condition E1 of an electricity system operator licence”;
- (b) in paragraph (b), for “Standard Condition” to the end, substitute “Condition E2 of an electricity system operator licence”.

Amendment of the Contracts for Difference (Electricity Supplier Obligations) Regulations 2014

- 28.** In regulation 2(1) of the Contracts for Difference (Electricity Supplier Obligations) Regulations 2014 (interpretation)(**6**), in the definition of “the Balancing and Settlement Code”—
- (a) after “Great Britain” insert “, as amended from time to time,”;
- (b) for “transmission licences” to the end, substitute “an electricity system operator licence granted under section 6(1)(da) of the Electricity Act 1989”.

Amendment of the Power Purchase Agreement Scheme Regulations 2014

- 29.** In regulation 2(1) of the Power Purchase Agreement Scheme Regulations 2014 (interpretation)(**7**) in the definition of “Balancing and Settlement Code”—
- (a) after “Great Britain” insert “as amended from time to time”;
- (b) for “transmission licences” to the end, substitute “an electricity system operator licence granted under section 6(1)(da) of the Electricity Act 1989”.

Amendment of the Electricity (Competitive Tenders for Offshore Transmission Licences) Regulations 2015

- 30.** In regulation 3(1) of the Electricity (Competitive Tenders for Offshore Transmission Licences) Regulations 2015 (interpretation)(**8**), after the definition of “construction phase contract”, insert—
- ““co-ordination licence” means a licence under section 6(1)(da) of the 1989 Act;”.

(6) [S.I. 2014/2014](#), to which there are amendments not relevant to these Regulations.

(7) [S.I. 2014/2511](#).

(8) [S.I. 2015/1555](#).

Amendment of the Renewables Obligation Order 2015

31. In article 42(3) of the Renewables Obligation Order 2015 (review of banding provisions)(**9**), in the definition of “network operators”—

- (a) for “or (c)” substitute “, (c) or (da)”;
- (b) omit from “to participate” to the end.

Amendment of the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017

32. In Schedule 2 to the Equality Act 2010 (Specific Duties and Public Authorities) Regulations 2017(**10**), after the entry for “The Financial Conduct Authority”, insert—

“The Independent System Operator and Planner designated in accordance with section 162 of the Energy Act 2023.”.

Amendment of the Network and Information Systems Regulations 2018

33. In Schedule 2 to the Network and Information Systems Regulations 2018 (essential services and threshold requirements)(**11**) in paragraph 1(8)(h) (definition of offshore transmission licence and offshore transmission)—

- (a) for “section 6C(5) and (6)” substitute “section 6F(8)”;
- (b) omit “, respectively”.

Amendment of the Electricity (Applications for Licences, Modifications of an Area and Extensions and Restrictions of Licences) Regulations 2019

34. In regulation 3 of the Electricity (Applications for Licences, Modifications of an Area and Extensions and Restrictions of Licences) Regulations 2019 (interpretation)(**12**), for paragraph (4) substitute—

- “(4) These Regulations do not apply to applications in respect of—
- (a) an “offshore transmission licence” as defined in section 64 of the Act;
 - (b) an “electricity system operator licence” as defined in section 6(1)(da) of the Act;
 - (c) a “smart meter communication licence” as defined in section 6(1)(f) of the Act; or
 - (d) a “code manager licence” as defined in section 6(1)(g) of the Act.”.

Amendment of the Gas (Applications for Licences and Extensions and Restrictions of Licences) Regulations 2019

35. In regulation 3 of the Gas (Applications for Licence and Extensions and Restrictions of Licences) Regulations 2019 (interpretation)(**13**), for paragraph (4) substitute—

- “(4) These Regulations do not apply to applications in respect of—
- (a) a “smart meter communication licence” as defined in section 7AB(1) of the Act;
or
 - (b) a “code manager licence” as defined in section 7AC(1) of the Act.”.

(9) [S.I. 2015/1947](#).

(10) [S.I. 2017/353](#) to which there are amendments not relevant to these Regulations.

(11) [S.I. 2018/506](#).

(12) [S.I. 2019/1023](#), to which there are amendments not relevant to these Regulations.

(13) [S.I. 2019/1024](#).

Amendment of the Electricity Trading (Development of Technical Procedures) (Day-Ahead Market Timeframe) Regulations 2021

36. In regulation 1(3) of the Electricity Trading (Development of Technical Procedures) (Day-Ahead Market Timeframe) Regulations 2021 (interpretation)(14), in the definition of “GB transmission system operator”, for paragraph (b) substitute—

- “(b) a person who holds an electricity system operator licence under section 6(1)(da) of the Electricity Act 1989,”.

Amendment of the Energy Bills Discount Scheme (Non-Standard Cases) Regulations 2023

37. In regulation 2 of the Energy Bills Discount Scheme (Non-Standard Cases) Regulations 2023 (interpretation)(15), in the definition of “Trading Party”—

- (a) after “Great Britain”, insert “, as it is amended from time to time,”;
- (b) for “section 6(1)(b)” to the end substitute “section 6(1)(da) of the Electricity Act 1989”.

Amendment of the Nuclear Regulated Asset Base Model (Revenue Collection) Regulations 2023

38. In regulation 2(1) of the Nuclear Regulated Asset Base Model (Revenue Collection) Regulations 2023 (interpretation)(16), in the definition of “the Balancing and Settlement Code” for “transmission licences granted under section 6(1)(b)” substitute “an electricity system operator licence granted under section 6(1)(da)”.

(14) S.I. 2021/651.
(15) S.I. 2023/464.
(16) S.I. 2023/254.