



Energy Act 2013

2013 CHAPTER 32

PART 2

ELECTRICITY MARKET REFORM

CHAPTER 1

GENERAL CONSIDERATIONS

5 General considerations relating to this Part

(1) In exercising the function of making—

- (a) regulations under section 6;
- (b) an order under section 23;
- (c) a modification under section 26;
- (d) regulations under section 27;
- (e) a modification under section 37;
- (f) a modification under section 45;
- (g) an order under section 46;

the Secretary of State must have regard to the matters mentioned in subsection (2).

(2) The matters are—

- (a) the duties of the Secretary of State under sections 1 and 4(1)(b) of the Climate Change Act 2008 (carbon targets and budgets);
- (b) the duty of the Secretary of State under section 1(1) of this Act (decarbonisation target range);
- (c) ensuring the security of supply to consumers of electricity;
- (d) the likely cost to consumers of electricity;
- (e) the target set out in Article 3(1) of, and Annex 1 to, the renewables directive (use of energy from renewable sources).

Changes to legislation: Energy Act 2013, Section 5 is up to date with all changes known to be in force on or before 06 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (3) In subsection (2)(e) “the renewables directive” means Directive [2009/28/EC](#) of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources.
- (4) The Secretary of State must before 31st December in each year, beginning with 2014, prepare and lay before Parliament a report setting out how the Secretary of State has carried out during the year the functions under this Part of this Act.
- (5) The Secretary of State must publish the report and send a copy of it to the Department of Enterprise, Trade and Investment, the Scottish Ministers and the Welsh Ministers.

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)