
DRAFT STATUTORY INSTRUMENTS

2019 No.

The Electricity Capacity (No. 1) Regulations 2019

PART 4

Capacity agreements: miscellaneous

CHAPTER 1

Amendment of Principal Regulations

Secretary of State’s discretion concerning non-completion fees: amendments

24. In regulation 43A (non-completion fee) of the Principal Regulations, after paragraph (5), insert—

“(6) Regulation 33 applies (except for paragraphs (2)(b), (3) and (5)(b)) to a non-completion notice as it applies to a termination notice, and for that purpose, a reference in regulation 33 to—

- (a) a “termination fee” is to be construed as a reference to a non-completion fee; and
- (b) a “termination notice” is to be construed as a reference to a non-completion notice.”.

Delivery Body reviewable decision: amendments

25. In regulation 68 of the Principal Regulations, in paragraph (2), in the table, after “issue of” insert “a non-completion notice,”.