
DRAFT STATUTORY INSTRUMENTS

2019 No.

The Electricity Capacity (No. 1) Regulations 2019

PART 2

Trigger events

Deferred capacity payment trigger event: agreements existing on 15th November 2018

4.—(1) If the Secretary of State is aware of a decision by a relevant authority that has the consequence that the making of capacity payments would be in accordance with the law relating to state aid, the Secretary of State must notify the Settlement Body and the Delivery Body of that decision as soon as reasonably practicable.

(2) If the Settlement Body receives a notification under paragraph (1), it must resume making capacity payments under regulation 40 of the Principal Regulations that were payable during the standstill period (but were prevented from being paid at the time by the law relating to state aid) in respect of capacity agreements that were in existence on 15th November 2018.

(3) A notification by the Secretary of State under paragraph (1) must—

- (a) specify the date of the notification;
- (b) specify that the notification is given for the purposes of this regulation; and
- (c) be published as soon as reasonably practicable after it is given.