



Electricity Act 1989

1989 CHAPTER 29

PART III

MISCELLANEOUS AND SUPPLEMENTAL

Amendment of enactments

100 Competition and restrictive trade practices

- (1) Electricity shall be treated as goods for the purposes of the 1973 Act, the Restrictive Trade Practices Act 1976 (in this section referred to as “the 1976 Act”) and the 1980 Act.
- (2) The 1976 Act shall not apply, and shall be deemed never to have applied, in relation to any agreement relating to the generation, transmission or supply of electricity which—
 - (a) was determined before the commencement of this section; or
 - (b) is specified, or is of a description specified, in an order made by the Secretary of State (whether before or after the making of the agreement) and satisfies such conditions as may be so specified.
- (3) Before making an order under subsection (2) above, the Secretary of State shall consult the Director and the Director General of Fair Trading; and the conditions specified in such an order may include conditions which refer any matter to the Secretary of State for determination after such consultation as may be so specified.
- (4) The 1976 Act shall have effect in relation to any agreement which—
 - (a) relates to the generation, transmission or supply of electricity; and
 - (b) was made before the commencement of this section,as if the time within which particulars of the agreement, or any variation or determination of the agreement, are to be furnished under section 24 of and Schedule 2 to that Act were the time given by paragraph 5 of that Schedule or six months from that commencement, whichever is the later.

Status: This is the original version (as it was originally enacted).

- (5) In this section “agreement” has the same meaning as in the 1976 Act and expressions which are used in Part I have the same meanings as in that Part.

101 Rights of entry

In section 2 of the Rights of Entry (Gas and Electricity Boards) Act 1954 (warrant to authorise entry), for subsection (4) there shall be substituted the following subsection—

- “(4) Every warrant granted under this section shall continue in force until—
- (a) the time when the purpose for which the entry is required is satisfied; or
 - (b) the end of the period of 28 days beginning with the day on which the warrant was granted,
- whichever is the earlier.”

102 Production and supply of heat or electricity etc. by Scottish local authorities

The provisions of Schedule 13 (which inserts into the Local Government (Scotland) Act 1973 provisions analogous to sections 11 (production and supply of heat or electricity or both by local authorities in England and Wales) and 12 (provisions supplementary to the said section 11) of the Local Government (Miscellaneous Provisions) Act 1976) shall have effect.

103 Stamp duty exemption for certain contracts

Electricity shall be treated as goods for the purposes of section 59 of the Stamp Act 1891 (certain contracts chargeable as conveyances on sale).