

Changes to legislation: Electricity Act 1989, Cross Heading: *The preferred bidder is up to date with all changes known to be in force on or before 16 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*

F¹ SCHEDULES

[^{F1}SCHEDULE 2A

PROPERTY SCHEMES

Textual Amendments

F1 Sch. 2A inserted (20.5.2009) by [Energy Act 2008 \(c. 32\)](#), ss. 44(4), 110(2), [Sch. 2](#); S.I. 2009/1270, art. 2

The preferred bidder

- 35 (1) The preferred bidder, in relation to a tender exercise, is the person whose name and address is specified in a notice which has been published under sub-paragraph (2) (and has not been withdrawn under sub-paragraph (4)).
- (2) Where a tender exercise is held, as soon as the Authority is satisfied that it will grant [^{F2}a relevant licence] to a particular person if certain matters are resolved to the Authority's satisfaction, it must publish a notice to that effect.
- [Where a tender exercise is held, as soon as a contract counterparty is satisfied that ^{F3}(2A) it will enter into a relevant contract with a particular person if certain matters are resolved to the counterparty's satisfaction, it must publish a notice to that effect.]
- (3) [^{F4}A notice under sub-paragraph (2) or (2A)] must—
- (a) specify the name and address of the person, and
 - (b) describe, in general terms, those matters.
- (4) The Authority may withdraw a notice under sub-paragraph (2) by publishing a notice to that effect.
- [A contract counterparty may withdraw a notice given by it under sub-paragraph (2A) ^{F5}(4A) by publishing a notice to that effect.]
- (5) A notice published under sub-paragraph (2) [^{F6}or (2A)] must be withdrawn before a subsequent notice may be published under that sub-paragraph in relation to the same tender exercise.]

Textual Amendments

- F2** Words in [Sch. 2A para. 35\(2\)](#) substituted (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), s. 334(2)(i), [Sch. 15 para. 21\(2\)](#)
- F3** [Sch. 2A para. 35\(2A\)](#) inserted (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), s. 334(2)(i), [Sch. 15 para. 21\(3\)](#)
- F4** Words in [Sch. 2A para. 35\(3\)](#) substituted (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), s. 334(2)(i), [Sch. 15 para. 21\(4\)](#)
- F5** [Sch. 2A para. 35\(4A\)](#) inserted (26.10.2023) by [Energy Act 2023 \(c. 52\)](#), s. 334(2)(i), [Sch. 15 para. 21\(5\)](#)

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F6 Words in Sch. 2A para. 35(5) inserted (26.10.2023) by Energy Act 2023 (c. 52), s. 334(2)(i), **Sch. 15 para. 21(6)**

Changes to legislation:

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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. 4(1)(f) and word inserted by [2023 c. 52 s. 186\(3\)\(b\)](#)
- s. 4(1)(ca) inserted by [2023 c. 52 s. 166\(2\)](#)
- s. 4(1)(da) inserted by [2023 c. 52 s. 205\(2\)\(b\)](#)
- s. 4(3H)(3I) inserted by [2023 c. 52 s. 186\(4\)](#)
- s. 4(3CA) inserted by [2023 c. 52 s. 205\(3\)](#)
- s. 4(3EA) inserted by [2023 c. 52 s. 205\(5\)](#)
- s. 6(1)(g) and word inserted by [2023 c. 52 s. 186\(7\)\(b\)](#)
- s. 6(1)(ea) inserted by [2023 c. 52 s. 205\(8\)\(b\)](#)
- s. 6(2C) inserted by [2023 c. 52 s. 186\(8\)](#)
- s. 6(2AA) inserted by [2023 c. 52 s. 205\(9\)](#)
- s. 6(6E) inserted by [2023 c. 52 s. 205\(10\)](#)
- s. 7(3GA) inserted by [2023 c. 52 s. 186\(17\)](#)
- s. 7A(11B) inserted by [2023 c. 52 s. 186\(18\)](#)
- s. 8A(1C) inserted by [2023 c. 52 s. 206\(6\)](#)
- s. 10NA inserted by [2023 c. 52 s. 207\(2\)](#)
- s. 11E(2)(d) and word inserted by [2013 c. 32 s. 138\(5\)\(b\)\(iii\)](#)
- s. 11AA inserted by [2018 c. 14 s. 13\(3\)](#)
- s. 15(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 3(2)(b) (as substituted) by [S.I. 2019/1245 reg. 19](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 25(8A) inserted by [2023 c. 52 Sch. 14 para. 7\(3\)](#)
- s. 44A inserted by [1992 c. 43 s. 23](#)
- s. 44A(6)(b)(i) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 44B(1)(a)(iiia) inserted by [2023 c. 52 Sch. 17 para. 8](#)
- s. 56C(6)(d) and word inserted by [2013 c. 32 s. 138\(5\)\(d\)\(ii\)](#)
- Sch. 5A para. 2(1A) inserted by [2018 c. 14 s. 13\(4\)](#)
- Sch. 6A para. 9ZA and cross-heading inserted by [2023 c. 52 Sch. 14 para. 8](#)