



Electricity Act 1989

1989 CHAPTER 29

PART I

ELECTRICITY SUPPLY

Other functions of Director

47 General functions.

(1) It shall be the duty of the Director, so far as it appears to him practicable from time to time to do so—

- (a) to keep under review the carrying on both in Great Britain and elsewhere of activities to which this subsection applies; and
- (b) to collect information with respect to those activities, and the persons by whom they are carried on, with a view to facilitating the exercise of his functions under this Part;

and this subsection applies to any activities connected with the generation, transmission and supply of electricity, including in particular activities connected with the supply to any premises of heat produced in association with electricity and steam produced from and air and water heated by such heat^[F1], and to the provision of smart meter communication services].

^[F2](1A) The activities to which subsection (1) applies also include, in particular, activities connected with the generation of electricity by microgeneration ^[F3]or small-scale low-carbon generation] or with the transmission and supply of electricity so generated.

^[F4](1B) In subsection (1A)—

“microgeneration” has the same meaning as in the Climate Change and Sustainable Energy Act 2006;

“small-scale low-carbon generation” has the same meaning as in section 41 of the Energy Act 2008.]

Changes to legislation: Electricity Act 1989, Section 47 is up to date with all changes known to be in force on or before 22 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

[The activities to which subsection (1) applies also include, in particular, the matters ^{F5}(1C) specified in the following provisions of the Electricity Directive as matters to be monitored—

- (a) Article 26(3);
- (b) Article 37(1)(g) to (k), (m) and (q) to (t); and
- (c) where a person is certified on the ground mentioned in subsection (5) of section 10E, Article 37(3)(a), (b) and (f).]

[The references in subsection (1C) to the following provisions of the Electricity ^{F6}(1D) Directive are to be treated as references to those provisions with the following modifications—

- (a) Article 37(1)(q) is to be read as if for “Regulation (EC) No 714/2009” there were substituted “ the Electricity Regulation ”;
- (b) Article 37(1)(s) is to be read as if—
 - (i) the words “Community and third country” were omitted, and
 - (ii) after “operators” there were inserted “ in the United Kingdom and transmission system operators in countries outside the United Kingdom ”;
- (c) Article 37(1)(t) is to be read as if the reference to Article 42 were to Article 42 with the omission of the words from “must cause” to “market and”;
- (d) Article 37(3)(f) is to be read as if for “Regulation (EC) No 714/2009” there were substituted “ the Electricity Regulation ”.]

(2) The Secretary of State may give general directions indicating—

- (a) considerations to which the Director should have particular regard in determining the order of priority in which matters are to be brought under review in performing his duty under subsection (1)(a) or (b) above; and
- (b) considerations to which, in cases where it appears to the Director that any of his functions under this Part are exercisable, he should have particular regard in determining whether to exercise those functions.

(3) It shall be the duty of the Director, where either he considers it expedient or he is requested by the Secretary of State or [^{F7}the CMA] to do so, to give information, advice and assistance to the Secretary of State or [^{F7}the CMA] with respect to any matter in respect of which any function of the Director under this Part is exercisable.

^{F8}(4)]

Textual Amendments

- F1** Words in s. 47(1) inserted (19.9.2012) by [The Electricity and Gas \(Smart Meters Licensable Activity\) Order 2012 \(S.I. 2012/2400\)](#), arts. 1, **10**
- F2** S. 47(1A)(1B) inserted (21.8.2006) by [Climate Change and Sustainable Energy Act 2006 \(c. 19\)](#), **ss. 9, 28(1)**
- F3** Words in s. 47(1A) inserted (26.1.2009) by [Energy Act 2008 \(c. 32\)](#), s. 110(2), **Sch. 5 para. 4(a)**; S.I. 2009/45, art. 2(e)(iv)
- F4** S. 47(1B) substituted (26.1.2009) by [Energy Act 2008 \(c. 32\)](#), s. 110(2), **Sch. 5 para. 4(b)**; S.I. 2009/45, art. 2(e)(iv)
- F5** S. 47(1C) inserted (10.11.2011) by [The Electricity and Gas \(Internal Markets\) Regulations 2011 \(S.I. 2011/2704\)](#), regs. 1(1), **31(2)**

Changes to legislation: *Electricity Act 1989, Section 47 is up to date with all changes known to be in force on or before 22 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*

- F6** S. 47(1D) inserted (31.12.2020) by The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530), regs. 1(1), **59**; 2020 c. 1, Sch. 5 para. 1(1)
- F7** Words in s. 47(3) substituted (1.4.2014) by The Enterprise and Regulatory Reform Act 2013 (Competition) (Consequential, Transitional and Saving Provisions) Order 2014 (S.I. 2014/892), art. 1(1), **Sch. 1 para. 66** (with art. 3)
- F8** S. 47(4) repealed (7.11.2000) by 2000 c. 27, s. 108, **Sch. 8**; S.I. 2000/2974, art. 2, **Sch.** (subject to transitional provisions in arts. 3-12)

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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](#)