



# Energy Act 2013

## 2013 CHAPTER 32

### PART 2

#### ELECTRICITY MARKET REFORM

### CHAPTER 2

#### CONTRACTS FOR DIFFERENCE

## 12 CFD notifications

- (1) The national system operator may, in accordance with provision made by regulations, give a notification to a CFD counterparty (a “CFD notification”) specifying—
  - (a) an eligible generator, and
  - (b) such other information as may be required for the purpose of making an offer under section 14 to contract with that generator.
- (2) A CFD notification must not be given if regulations made by virtue of section 23 prevent the giving of the notification.
- (3) Regulations may make further provision about CFD notifications and in particular provision about—
  - (a) the circumstances in which a CFD notification may or must be given;
  - (b) the kinds of information mentioned in subsection (1)(b) that must be specified in a CFD notification;
  - (c) appeals against decisions not to give CFD notifications.
- (4) A CFD notification may not be given by virtue of regulations under this section in relation to an electricity generating station in Northern Ireland unless the Department of Enterprise, Trade and Investment consent to the CFD notification.
- (5) But regulations may, with the consent of that Department, include provision for circumstances in which consent under subsection (4) is not required.

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**Changes to legislation:** Energy Act 2013, Section 12 is up to date with all changes known to be in force on or before 20 March 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](#)

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- (6) In subsection (4) “Northern Ireland” includes so much of the internal waters and territorial sea of the United Kingdom as are adjacent to Northern Ireland.

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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. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)