



Energy Act 2013

2013 CHAPTER 32

PART 2

ELECTRICITY MARKET REFORM

CHAPTER 2

CONTRACTS FOR DIFFERENCE

26 Licence modifications

- (1) The Secretary of State may modify—
 - (a) a condition of a particular licence under section 6(1)(a), (b) or (c) of EA 1989 (generation, transmission and distribution licences);
 - (b) the standard conditions incorporated in licences under that provision by virtue of section 8A(1A) of that Act;
 - (c) a document maintained in accordance with the conditions of licences under that provision, or an agreement that gives effect to a document so maintained.
- (2) The Secretary of State may make a modification under subsection (1) only for the purpose of—
 - (a) conferring functions on the national system operator in connection with its functions by or by virtue of this Chapter;
 - (b) allowing or requiring services to be provided to a CFD counterparty;
 - (c) enforcing obligations under a CFD.
- (3) Provision included in a licence, or in a document or agreement relating to licences, by virtue of the power under subsection (1) may in particular include provision of a kind that may be included in regulations.
- (4) Before making a modification under this section, the Secretary of State must consult—
 - (a) the Scottish Ministers,
 - (b) the Welsh Ministers,

Changes to legislation: Energy Act 2013, Section 26 is up to date with all changes known to be in force on or before 29 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

- (c) the holder of any licence being modified,
 - (d) any person who is a holder of a licence to supply electricity under section 6(1) (d) of EA 1989,
 - (e) any person who is a holder of a licence to supply electricity under Article 10(1) (c) of the Electricity (Northern Ireland) Order 1992 (S.I. 1992/231 (N.I. 1)),
 - (f) the Department of Enterprise, Trade and Investment,
 - (g) the Authority, and
 - (h) such other persons as the Secretary of State considers it appropriate to consult.
- (5) Subsection (4) may be satisfied by consultation before, as well as by consultation after, the passing of this Act.

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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\(4\)](#)