



Energy Act 2013

2013 CHAPTER 32

PART 2

ELECTRICITY MARKET REFORM

CHAPTER 6

ACCESS TO MARKETS ETC

Market participation and liquidity

49 Power to modify licence conditions etc: market participation and liquidity

- (1) The Secretary of State may modify—
 - (a) a condition of a particular licence under section 6(1)(a) or (d) of EA 1989 (generation and supply licences);
 - (b) the standard conditions incorporated in licences under those provisions by virtue of section 8A of that Act;
 - (c) a document maintained in accordance with the conditions of licences under section 6(1)(a) or (d) of that Act, or an agreement that gives effect to a document so maintained.
- (2) The Secretary of State may exercise the power in subsection (1) only for the following purposes—
 - (a) facilitating participation in the wholesale electricity market in Great Britain, whether by licence holders or others;
 - (b) promoting liquidity in that market.
- (3) Modifications made by virtue of that power may include—
 - (a) provision imposing obligations in relation to the sale or purchase of electricity, including, in particular, obligations as to—
 - (i) the terms on which electricity is sold or purchased, and

Changes to legislation: Energy Act 2013, Section 49 is up to date with all changes known to be in force on or before 18 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](#)

- (ii) the circumstances or manner in which electricity is sold or purchased;
 - (b) provision imposing restrictions on the sale or purchase of electricity to or from group undertakings;
 - (c) provision imposing obligations in relation to the disclosure or publication of information.
- (4) For the purposes of subsection (3)(b), electricity is sold to or purchased from a group undertaking if the transaction is between undertakings one of which is a group undertaking in relation to the other.

For this purpose, “undertaking” and “group undertaking” have the same meanings as in the Companies Acts (see section 1161 of the Companies Act 2006).

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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\(4\)](#)