



# Energy Act 2023

## 2023 CHAPTER 52

### PART 5

#### INDEPENDENT SYSTEM OPERATOR AND PLANNER

##### *Other*

#### **178 Principal objective and general duties of Secretary of State and GEMA under Part 5**

- (1) Sections 3A to 3D of the Electricity Act 1989 and sections 4AA to 4B of the Gas Act 1986 (principal objective and general duties) apply in relation to the functions of the Secretary of State under sections [162](#) and [167](#) as they apply in relation to functions under Part 1 of the Act in question.
- (2) Where the Secretary of State or the GEMA has functions under section [169](#), [170](#) or [172](#) in relation to a licence under section 6(1) of the Electricity Act 1989, sections 3A to 3D of that Act apply in relation to those functions as they apply in relation to functions under Part 1 of that Act.
- (3) Where the Secretary of State or the GEMA has functions under section [169](#), [170](#) or [172](#) in relation to a licence under section 7, 7ZA, 7A, 7AA, 7AB or 7AC of the Gas Act 1986, sections 4AA to 4B of that Act apply in relation to those functions as they apply in relation to functions under Part 1 of that Act.

#### **Commencement Information**

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| <b>I1</b> | S. 178(2)(3) in force at Royal Assent for specified purposes, see <a href="#">s. 334(2)(h)(iii)</a>  |
| <b>I2</b> | <a href="#">S. 178(1)</a> in force at 31.1.2024 by <a href="#">S.I. 2024/32</a> , <a href="#">reg. 3(a)(viii)</a>                                      |
| <b>I3</b> | <a href="#">S. 178(2)(3)</a> in force at 31.1.2024 in so far as not already in force by <a href="#">S.I. 2024/32</a> , <a href="#">reg. 3(a)(viii)</a> |

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*Changes to legislation: There are currently no known outstanding effects for the Energy Act 2023, Cross Heading: Other. (See end of Document for details)*

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## 179 Minor and consequential amendments

[Schedule 11](#) contains further amendments to the Electricity Act 1989 and the Gas Act 1986.

### Commencement Information

- I4** S. 179 not in force at Royal Assent, see [s. 334\(1\)](#)  
**I5** [S. 179](#) in force at 31.1.2024 by [S.I. 2024/32, reg. 3\(a\)\(ix\)](#)

## 180 Interpretation of Part 5

(1) In this Part—

“distribution system” has the same meaning as in Part 1 of the Electricity Act 1989 (see section 4(4) of that Act);

“electricity system operator licence” has the meaning given by section [167\(8\)](#);

“gas” has the same meaning as in Part 1 of the Gas Act 1986 (see section 48(1) of that Act);

“relevant activity” has the meaning given by section [163\(5\)](#);

“relevant licence” means a licence for the purposes of section 4 of the Electricity Act 1989 or section 5 of the Gas Act 1986 (prohibitions on unlicensed activities);

“transmission system” has the same meaning as in Part 1 of the Electricity Act 1989 (see section 4(4) of that Act).

(2) References in this Part to the distribution, generation, supply or transmission of electricity are to be construed in accordance with section 4(4) of the Electricity Act 1989.

(3) For the purposes of this Part, references to the ISOP’s functions are to any functions that are exercisable by the person for the time being designated as the ISOP (whether they are exercisable in the person’s capacity as the ISOP or in another capacity).

### Commencement Information

- I6** S. 180 in force at Royal Assent, see [s. 334\(2\)\(h\)\(iv\)](#)

## 181 Regulations under Part 5

(1) Regulations under [this Part](#) are subject to the negative procedure.

(2) Subsection (1) does not apply to regulations under paragraph 9 of [Schedule 9](#).

### Commencement Information

- I7** S. 181 in force at Royal Assent, see [s. 334\(2\)\(h\)\(iv\)](#)

**Changes to legislation:**

There are currently no known outstanding effects for the Energy Act 2023, Cross Heading:  
Other.