STATUTORY INSTRUMENTS

2011 No. 2704

The Electricity and Gas (Internal Markets) Regulations 2011

PART 7

Regulatory authority

Designation, reporting and members

Members of the Gas and Electricity Markets Authority

24.—(1) Schedule 1 to the Utilities Act 2000 (Gas and Electricity Markets Authority) is amended as follows.

(2) After paragraph 2 insert—

"**2A.** A person holding office as chairman or other member must not—

(a) seek or take any instructions that might compromise, or might reasonably be seen to compromise, the independence of the Authority in relation to its functions as designated regulatory authority for Great Britain; or

(b) carry out any other activity, or have any financial or other interest, that might compromise, or might reasonably be seen to compromise, that person's impartiality.".

(3) For paragraph 3 substitute—

"**3.**—(1) An appointment of a person to hold office as chairman or other member must be for a term of not less than 5 years and not more than 7 years.

(2) But in appointing as chairman or other member a person who is on the Authority's staff, the Secretary of State may make the appointment subject to a condition that the appointment will end if that person ceases to be on the Authority's staff.

(3) The appointment of a person as chairman or other member may be renewed only once.

(4) The Secretary of State must ensure that there is sufficient continuity in the persons holding office as chairman or other member in determining—

(a) the term of a person's appointment in accordance with sub-paragraph (1) (whether initially or on renewal); and

(b) whether or not to renew an appointment in accordance with sub-paragraph (3).

(5) A person holding office as chairman or other member may resign that office by giving notice in writing to the Secretary of State.

(6) A person holding office as chairman or other member may be removed from office by the Secretary of State on one of the following grounds only—

(a) a breach of paragraph 2A;

(b) incapacity; or

(c) misbehaviour.”.

Changes to legislation:
There are currently no known outstanding effects for the The Electricity and Gas (Internal Markets) Regulations 2011, Section 24.