
STATUTORY INSTRUMENTS

2011 No. 2704

The Electricity and Gas (Internal Markets) Regulations 2011

PART 8

Enforcement

Enforcement provisions of the Electricity Act 1989

- 39.**—(1) Part 1 of the Electricity Act 1989 (electricity supply) ^{M1} is amended as follows.
- (2) For the italic heading preceding section 25 ^{M2} substitute—

“Enforcement of obligations of regulated persons”.

(3) In each of the following provisions, for “licence holder” wherever it occurs substitute “regulated person”

- (a) section 25 (orders for securing compliance);
 - (b) section 26 (procedural requirements) ^{M3};
 - (c) section 27 (validity and effect of orders) ^{M4};
 - (d) section 27A (penalties) ^{M5};
 - (e) section 27C (time limits on the imposition of financial penalties) ^{M6};
 - (f) section 27E (appeals) ^{M7};
 - (g) section 27F (recovery of penalties) ^{M8};
 - (h) section 28(1) (power to require information etc) ^{M9}.
- (4) In section 25(8)—
- (a) after the definition of “provisional order” insert—
““regulated person” means a person who is one or more of the following—
 - (a) a licence holder;
 - (b) a distribution exemption holder;
 - (c) a supply exemption holder;
 - (d) an electricity undertaking which is a relevant producer or supplier;”;
 - (b) in the definition of “relevant condition”, for “his licence” substitute “any licence held by that person”;
 - (c) in the definition of “relevant requirement”, for the words from “him” to the end of the definition substitute “that person under a provision specified in Schedule 6A as a relevant provision in respect of that person”.

(5) After Schedule 6 insert the Schedule set out in Schedule 4.

Marginal Citations

- M1** 1989 c. 29.
- M2** Section 25 was amended by sections 3(2), 60(1) to (5) and 108 of, and paragraphs 24, 27 and 28 of Part 2 of Schedule 6 to, and Schedule 8 to, the [Utilities Act 2000 \(c. 27\)](#); by section 54(3) of, and paragraph 12(1) and (5) of Schedule 10 to, the [Competition Act 1998 \(c. 41\)](#); by sections 25(8), 45(4), 52(2) and 63(1) of, paragraph 2 of Schedule 2 to, paragraph 2(1) and (2) of Schedule 5 to, and paragraphs 7 and 9 of Schedule 7 to, the [Consumers, Estate Agents and Redress Act 2007 \(c. 17\)](#); by section 107(1) of, and paragraph 3 of Schedule 5 to, the [Energy Act 2008 \(c. 32\)](#); and by section 35 of, and paragraphs 5 and 6(1) of the Schedule to, the [Energy Act 2010 \(c. 27\)](#).
- M3** Section 26 was amended by sections 3(2) and 60(1) and (6) of the [Utilities Act 2000 \(c. 27\)](#).
- M4** Amendments have been made that are not relevant for these purposes.
- M5** Section 27A was inserted by section 59(1) of the [Utilities Act 2000 \(c. 27\)](#).
- M6** Section 27C was inserted by section 59(1) of the [Utilities Act 2000 \(c. 27\)](#) and subsequently amended by section 24(2) of the [Energy Act 2010 \(c. 27\)](#).
- M7** Section 27E was inserted by section 59(1) of the [Utilities Act 2000 \(c. 27\)](#). Amendments have been made that are not relevant for these purposes.
- M8** Section 27F was inserted by section 59(1) of the [Utilities Act 2000 \(c. 27\)](#).
- M9** Section 28(1) was amended by section 59(2) of the [Utilities Act 2000 \(c. 27\)](#).

Changes to legislation:

There are currently no known outstanding effects for the The Electricity and Gas (Internal Markets) Regulations 2011, Section 39.