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STATUTORY INSTRUMENTS

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**2011 No. 2704**

**The Electricity and Gas (Internal Markets) Regulations 2011**

**PART 10**

Miscellaneous provisions

**Amendment of section 64 of the Electricity Act 1989**

**48.** In section 64(1) of the Electricity Act 1989 (interpretation of Part 1) insert at the appropriate places—

““the Agency” means the Agency for the Cooperation of Energy Regulators established under the Agency Regulation;”;

““the Agency Regulation” means Regulation 2009/713/EC of the European Parliament and of the Council of 13 July 2009 establishing an Agency for the Cooperation of Energy Regulators;”;

““designated regulatory authority” means an authority designated in accordance with Article 35 of the Electricity Directive;”;

““designated regulatory authority for Great Britain” means the authority designated by virtue of section 3A of the Utilities Act 2000;”;

““distribution exemption holder” means a person who—

- (a) is distributing electricity for the purpose mentioned in section 4(1)(bb); and
- (b) is authorised to do so by an exemption;”;

““the Electricity Directive” means Directive 2009/72/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in electricity and repealing Directive 2003/54/EC<sup>M1</sup>;”;

““the Electricity Regulation” means Regulation 2009/714/EC of the European Parliament and of the Council of 13 July 2009 on conditions for access to the network for cross-border exchanges in electricity and repealing Regulation 2003/1228/EC<sup>M2</sup>;”;

““electricity undertaking” has the meaning given by section 100;”;

““exempt distribution system” means a distribution system operated or controlled by a distribution exemption holder who is covered by an exemption granted to it in relation to that system;”;

““senior officer” means—

- (a) in relation to a company, a director;
- (b) in relation to a partnership, a partner;
- (c) in any other case, a person holding a position equivalent to that of a director or partner;”;

““supply exemption holder” means a person who—

- (a) is carrying on the activity mentioned in section 4(1)(c); and

(b) is authorised to do so by an exemption;”;

““regulated person” has the meaning given by section 25(8);”;

““relevant producer or supplier” has the meaning given by section 10O;”.

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**Marginal Citations**

**M1** OJ No L 211, 14.08.2009, p. 55.

**M2** OJ No L 211, 14.08.2009, p. 15.

**Changes to legislation:**

There are currently no known outstanding effects for the The Electricity and Gas (Internal Markets) Regulations 2011, Section 48.