
STATUTORY INSTRUMENTS

2017 No. 493

The Electricity and Gas (Internal Markets) Regulations 2017

Amendment to section 100 of the 1989 Act

3. For subsection (5) of section 100 of the 1989 Act⁽¹⁾ (definition of “relevant producer or supplier”), substitute—

“(5) A person falls within this subsection if—

- (a) the person requires a licence under section 7A of the Gas Act 1986 (licensing of gas suppliers and gas shippers) or section 6 of this Act to carry out the activity by virtue of which the person falls within subsection (4);
- (b) where the person does not carry out the activity in Great Britain, the person would, in the Authority’s opinion, require such a licence if carrying out the activity in Great Britain; or
- (c) the person has a relationship with the applicant or certified person which the Authority thinks might lead the applicant or certified person to discriminate in favour of the person.”.

⁽¹⁾ Sections 10A to 100 of the 1989 Act were inserted by [S.I. 2011/2704](#).