

---

DRAFT STATUTORY INSTRUMENTS

---

**2014 No.**

**The Electricity Market Reform (General) Regulations 2014**

**PART 2**

Secretary of State requiring information from the delivery body

**Non-compliance**

**5.**—(1) The requirements imposed under regulation 4 on the delivery body to provide by the date required by an advice notice—

- (a) the information required by the notice; or
- (b) any progress report required by the notice,

subject to paragraph (3), are to be treated as relevant requirements on the delivery body as a regulated person for the purposes of section 25 of the Electricity Act 1989<sup>(1)</sup>.

(2) Reference in paragraph (1) to a matter required by an advice notice is a reference to that requirement—

- (a) subject to any written requirement made under regulation 4(4); and
- (b) as may be varied further to regulation 4(6).

(3) Where—

- (a) to comply with an advice notice requires the delivery body to be provided with information further to a counterparty notice or a generator notice;
- (b) the delivery body has given, as applicable, a counterparty notice or a generator notice; and
- (c) the delivery body is not provided with the information required by the counterparty notice or generator notice (“missing information”),

there is no failure to comply with paragraph (1)(a) to the extent of the missing information.