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DRAFT STATUTORY INSTRUMENTS

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**2014 No.**

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

**PART 2**

Secretary of State requiring information from the delivery body

**Confidentiality**

**8.—**(1) This regulation applies only to a delivery body which is not the national system operator.

(2) Where the delivery body obtains information further to a generator notice (“generation information”), the delivery body must not process that information for any purpose other than to comply with an advice notice except—

- (a) with the consent of the generator who provided the information; or
- (b) as required by or under—
  - (i) an order of the court;
  - (ii) an enactment; or
  - (iii) an EU obligation;
- (c) as required or permitted by or under—
  - (i) a licence condition which applies to the delivery body; or
  - (ii) a condition of an industry document to which the delivery body is a party.

(3) The restriction in paragraph (2) does not apply to generation information which is publicly available (other than by breach of this regulation).

(4) The restriction in paragraph (2) imposed on the delivery body is to be treated as a relevant requirement on the delivery body as a regulated person for the purposes of section 25 of the Electricity Act 1989.

(5) In this regulation—

- (a) “industry document” means any of the following documents maintained under a licence—
  - (i) the Balancing and Settlement Code;
  - (ii) the Connection and Use of System Code; or
  - (iii) the Grid Code; and
- (b) “licence” means a licence under section 6 of the Electricity Act 1989.