



Utilities Act 2000

2000 CHAPTER 27

PART IV

AMENDMENT OF THE ELECTRICITY ACT 1989

Electricity licensing

38 Modification following report.

- (1) Section 14 of the 1989 Act (modification following report) is amended as follows.
- (2) In subsection (1), for “the conditions of the licence” and “the conditions of that licence” there is substituted “ the relevant conditions ”.
- (3) After subsection (1) there is inserted—
 - “(1A) Where at any time it modifies under subsection (1) the standard conditions of licences of any type in consequence of a reference under section 12(1A), the Authority may make such incidental and consequential modifications as it considers necessary or expedient of any conditions of licences of that type granted before that time.”
- (4) In subsection (4)(b) after “licence” there is inserted “ or, as the case may be, the relevant licence holders ”.
- (5) After subsection (4) there is inserted—
 - “(5) After considering any representations or objections made in response to proposals set out in a notice under subsection (3), the Authority shall give notice to the Competition Commission—
 - (a) setting out the modifications it proposes to make to remedy or prevent the adverse effects specified in the report; and
 - (b) stating the reasons for making the modifications.

Changes to legislation: Utilities Act 2000, Section 38 is up to date with all changes known to be in force on or before 22 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

- (6) The Authority shall include with the notice under subsection (5) a copy of any representations or objections received in relation to the notice under subsection (3).
- (7) If the period of four weeks from the date on which the notice under subsection (5) is given elapses without a direction under section 14A(1)(a) having been given to it, the Authority shall—
 - (a) make the modifications set out in the notice; or
 - (b) if a direction under section 14A(1)(b) has been given, make the modifications which are not specified in the direction.
- (8) The modification under subsection (1) of part of a standard condition of a particular licence in consequence of a reference under section 12(1) shall not prevent any other part of the condition from continuing to be regarded as a standard condition for the purposes of this Part.
- (9) Where the Authority modifies the standard conditions of licences of any type as mentioned in subsection (1A), the Authority—
 - (a) shall also make (as nearly as may be) the same modifications of those conditions for the purposes of their incorporation in licences of that type granted after that time; and
 - (b) shall publish the modifications made for those purposes in such manner as it considers appropriate.”

Commencement Information

- II** S. 38 wholly in force at 1.10.2001; s. 38 not in force at Royal Assent see s. 110(2); s. 38 in force at 1.10.2001 by [S.I. 2001/3266](#), [art. 2](#), [Sch.](#) (subject to transitional provisions in [arts. 3-20](#))

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 5(3A) inserted by [2023 c. 52 s. 197\(2\)](#)
- s. 33(1)(f) word omitted by [2018 c. 14 s. 6\(10\)\(a\)](#) (This amendment not applied to [legislation.gov.uk](#). The word "or" is already omitted present (19.7.2018) by virtue of [2018 c. 21, ss. 11\(2\), 13\(2\)](#))