



Energy Act 2013

2013 CHAPTER 32

PART 2

ELECTRICITY MARKET REFORM

CHAPTER 8

EMISSIONS PERFORMANCE STANDARD

61 Interpretation of Chapter 8

(1) In this Chapter—

“carbon capture and storage technology” means technology for doing, or contributing to the doing of, any of the following things—

- (a) capturing carbon dioxide (or any substance consisting primarily of carbon dioxide) that has been produced by, or in connection with, generation of electricity on a commercial scale;
- (b) transporting such carbon dioxide (or substance) that has been captured;
- (c) disposing of such carbon dioxide (or substance) that has been captured, by way of permanent storage;

“CCS plant” means plant, or a system of plant and facilities, that uses, or is capable of using, carbon capture and storage technology;

“distribution system” has the meaning given by section 4(4) of EA 1989 (and “distributed” is to be read accordingly);

“emissions limit duty” means the duty imposed by section 57(1);

“ETS Directive” means Directive [2003/87/EC](#) of the European Parliament and of the Council (as amended from time to time);

“fossil fuel” means—

- (a) coal;
- (b) lignite;
- (c) peat;

Changes to legislation: Energy Act 2013, Section 61 is up to date with all changes known to be in force on or before 20 March 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

- (d) natural gas (within the meaning of the Energy Act 1976);
 - (e) crude liquid petroleum;
 - (f) bitumen;
 - (g) any substance which—
 - (i) is produced directly or indirectly from a substance mentioned in paragraphs (a) to (f) for use as a fuel, and
 - (ii) when burned, produces a greenhouse gas (within the meaning given in section 92 of the Climate Change Act 2008);
 - “fossil fuel plant” has the meaning given by section 57(3);
 - “gasification plant” means plant which—
 - (a) uses fossil fuel, and
 - (b) produces fuel for use in an electricity generating station;
 - “network generating station” means a station that exports to a network;
 - “relevant consent” means—
 - (a) consent granted under section 36 of EA 1989 or Article 39 of the Electricity (Northern Ireland) Order 1992 (S.I. 1992/231 (N.I. 1)), or
 - (b) an order granting development consent under the Planning Act 2008;
 - “transmission system” has the meaning given by section 4(4) of EA 1989;
 - “year”, except in section 58, means any calendar year for which the emissions limit is defined by section 57.
- (2) For the purposes of this Chapter, a generating station exports to a network when it is generating any electricity that is conveyed from it by means of a transmission system or is distributed by means of a distribution system.

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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. 68(4) inserted by [2023 c. 52 s. 302\(4\)](#)