
Changes to legislation: There are currently no known outstanding effects for the Infrastructure Act 2015, Paragraph 6. (See end of Document for details)

SCHEDULES

SCHEDULE 6

COMMUNITY ELECTRICITY RIGHT REGULATIONS

PART 1

THE RIGHT TO BUY

The members of the community

- 6 (1) Right to buy regulations must make provision enabling the following to be identified—
- (a) individuals who may exercise the right to buy;
 - (b) groups who may exercise the right to buy.
- (2) The individuals who may exercise the right to buy may be identified by reference to one or more of the following factors—
- (a) how old an individual is;
 - (b) how long an individual has been resident in the community;
 - (c) whether the community is an individual's only (or main) place of residence.
- (3) Right to buy regulations may specify the kind, or kinds, of individuals who may not exercise the right to buy.
- (4) Those kinds of individuals may be identified by reference to one or more of the following factors—
- (a) whether an individual is, or has been, bankrupt or subject to any other kind of arrangement relating to indebtedness;
 - (b) whether an individual has been convicted of a criminal offence involving fraud;
 - (c) whether an individual is connected with—
 - (i) the designated promoter or facility operator, or
 - (ii) bodies or individuals connected with the designated promoter or facility operator.
- (5) The groups who may exercise the right to buy may be identified by reference to one or more of the following factors—
- (a) the legal form of the group;
 - (b) the constitution, structure and management of the group;
 - (c) the criteria for membership of the group (including criteria relating to residence);
 - (d) the members of the group;
 - (e) the aims of the group;

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- (f) the activities of the group (including economic activities);
 - (g) the geographical area or areas in which, or in relation to which, the group operates;
 - (h) the treatment of income and profits of the group;
 - (i) the treatment of assets of the group (including on its dissolution);
 - (j) whether the group is connected with—
 - (i) the designated promoter or facility operator, or
 - (ii) bodies or individuals connected with the designated promoter or facility operator.
- (6) The provision that may be made about membership, or members, of the group under sub-paragraph (5)(c) or (d) includes provision of any kind that may be made under sub-paragraph (2) or (4) about individuals.
- (7) Right to buy regulations may specify the kind, or kinds, of groups who may not exercise the right to buy.
- (8) Regulations under this paragraph may make provision about which persons are connected with which other persons for the purposes of any such regulations.
- (9) The regulations may provide that one person (“A”) is connected with another person (“B”) by virtue of—
- (a) a direct or indirect connection;
 - (b) connections arising from employment or office-holding, from family relationships, or from financial arrangements;
 - (c) A being the parent of B or another person connected with B;
 - (d) A being a subsidiary of B or another person connected with B.

Commencement Information

II Sch. 6 para. 6 in force at 1.6.2016, see s. 57(7)(a)

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