



# Energy Act 2023

## 2023 CHAPTER 52

### PART 6

#### GOVERNANCE OF GAS AND ELECTRICITY INDUSTRY CODES

##### *Strategic direction statement for designated documents*

#### **190 Strategic direction statement**

- (1) The GEMA must, each year, prepare and publish a statement setting out a strategic direction for designated documents.
- (2) A statement prepared and published under [subsection \(1\)](#) is referred to in this Part as a “strategic direction statement”.
- (3) A strategic direction statement must in particular—
  - (a) contain a strategic assessment of government policies, and of developments relating to the energy sector, that the GEMA considers will or may require the making of modifications to designated documents;
  - (b) cover such other matters relating to designated documents as the Secretary of State may specify in regulations.
- (4) In preparing a strategic direction statement, the GEMA must have regard to any advice given to it by the Independent System Operator and Planner so far as relevant to the matters referred to in [subsection \(3\)](#).
- (5) Before publishing a strategic direction statement in any year, the GEMA must—
  - (a) publish a notice containing a draft of the document,
  - (b) send a copy of the notice to the persons listed in [subsection \(6\)](#), and
  - (c) consider any representations about the draft made within the period specified in the notice.
- (6) The persons referred to in [subsection \(5\)\(b\)](#) are—
  - (a) the Secretary of State;

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*Status: This is the original version (as it was originally enacted).*

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- (b) the National Association of Citizens Advice Bureaux;
  - (c) the Scottish Association of Citizens Advice Bureaux;
  - (d) Consumer Scotland.
- (7) A notice under [subsection \(5\)](#) must be published by the GEMA in whatever way it considers appropriate for the purpose of bringing the matters contained in it to the attention of persons likely to be affected by them.

**191 Transfer of functions under [section 190](#) to Independent System Operator and Planner**

- (1) The Secretary of State may by regulations amend [section 190](#) so as to provide for functions under that section to be exercisable by the Independent System Operator and Planner (instead of by the GEMA).
- (2) Before making regulations under this section, the Secretary of State must consult—
- (a) the GEMA,
  - (b) the Independent System Operator and Planner, and
  - (c) any other persons whose interests are likely to be affected by the proposal.
- (3) Regulations under this section—
- (a) must repeal [section 190\(4\)](#);
  - (b) must add the GEMA to the list of persons in [section 190\(6\)](#);
  - (c) may make such other amendments to [section 190](#) as the Secretary of State considers appropriate.