



Energy Act 2023

2023 CHAPTER 52

PART 6

GOVERNANCE OF GAS AND ELECTRICITY INDUSTRY CODES

Modifications and directions

192 Modification of designated documents by GEMA

- (1) The GEMA may modify a designated document if any of [subsections \(2\) to \(6\)](#) applies.
- (2) This subsection applies where the GEMA considers that—
 - (a) the designated document needs to be modified as a matter of urgency,
 - (b) the making of the modification is likely to be delayed if done in accordance with the normal modification procedures for the document, and
 - (c) such a delay would have adverse effects on—
 - (i) consumers, or
 - (ii) any person with rights or obligations under the document, other than the GEMA.
- (3) This subsection applies where the GEMA considers that a financial or other interest of the code manager in respect of the matter to which the modification relates is likely to prejudice the making of the modification if done in accordance with the normal modification procedures for the document.
- (4) This subsection applies where the GEMA considers that—
 - (a) the modification is required for the purpose of implementing a strategic direction statement under [section 190](#), and
 - (b) the nature of the modification (for example, its complexity) is such that it needs to be made under this section rather than in accordance with the normal modification procedures for the designated document.

Status: This is the original version (as it was originally enacted).

- (5) This subsection applies where the GEMA considers that the modification is required in connection with the incorporation of the whole or part of the provision made by the designated document into another document (whether or not a designated document).
- (6) This subsection applies where the GEMA considers that the modification is required in consequence of the exercise of any power conferred by [Schedule 12](#) (transitional provisions) in relation to a different document.
- (7) The Secretary of State may by regulations make—
 - (a) provision specifying requirements to be met in relation to the exercise of the power under [subsection \(1\)](#);
 - (b) provision supplementing [subsections \(2\) to \(6\)](#).
- (8) References in this section to the normal modification procedures for a designated document are to provision, relating to the procedure for modifying the document, that—
 - (a) is contained in the document, or
 - (b) applies pursuant to any condition of a licence in accordance with which the document is maintained.