



Energy Act 2023

2023 CHAPTER 52

PART 9

ENERGY SMART APPLIANCES AND LOAD CONTROL

CHAPTER 3

LICENSING OF LOAD CONTROL

248 Application of general duties to functions relating to load control

- (1) Sections 4AA to 4B of the Gas Act 1986 (principal objectives and general duties) apply to the carrying out, as respects the matters mentioned in [subsection \(2\)](#), of functions conferred on the Secretary of State or the GEMA by or under sections [245](#) to [247](#).
- (2) The matters are—
 - (a) activities required to be authorised by gas licences,
 - (b) such licences and the conditions of such licences,
 - (c) documents maintained in accordance with the conditions of such licences, or agreements that give effect to documents so maintained, and
 - (d) companies holding such licences.
- (3) In section 4AA(2)(b) of the Gas Act 1986 (duty to have regard to ability of licence holders to finance obligations) for “or sections 26 to 29 of the Energy Act 2010” substitute “, sections 26 to 29 of the Energy Act 2010, or sections [245](#) to [247](#) of the Energy Act 2023”.
- (4) Sections 3A to 3D of the Electricity Act 1989 (principal objectives and general duties) apply to the carrying out, as respects the matters mentioned in [subsection \(5\)](#), of functions conferred on the Secretary of State or the GEMA by or under sections [245](#) to [247](#).
- (5) The matters are—
 - (a) activities required to be authorised by electricity licences,

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- (b) such licences and the conditions of such licences,
 - (c) documents maintained in accordance with the conditions of such licences, or agreements that give effect to documents so maintained, and
 - (d) companies holding such licences.
- (6) In section 3A(2)(b) of the Electricity Act 1989 (duty to have regard to ability of licence holders to finance obligations) for “or the Nuclear Energy (Financing) Act 2022” substitute “, the Nuclear Energy (Financing) Act 2022 or sections 245 to 247 of the Energy Act 2023”.
- (7) In section 33(1) of the Utilities Act 2000 (standard conditions of electricity licences)—
- (a) omit the “or” at the end of paragraph (j), and
 - (b) after paragraph (k) insert “or,
 - (l) under sections 245 to 247 of the Energy Act 2023.”
- (8) In [this section](#)—
- “electricity licence” means a licence for the purposes of section 4 of the Electricity Act 1989 (prohibition on unlicensed activities);
 - “gas licence” means a licence for the purposes of section 5 of the Gas Act 1986 (prohibition on unlicensed activities).