

SCHEDULE 2

CONSEQUENTIAL AMENDMENTS

Energy Act 2004

14.—(1) Paragraph 10 of Schedule 5 to the Energy Act 2004⁽¹⁾ (supplementary provisions about nuclear transfer schemes) is amended as follows.

(2) In sub-paragraphs (1), (2) and (3), in each place where it occurs, for “1981 regulations” there is substituted “2006 regulations”.

(3) In sub-paragraph (1)—

- (a) after “an undertaking”, in both places where it occurs, there is inserted “or business”, and
- (b) for “that undertaking or part” there is substituted “that undertaking or business or that part of an undertaking or business”.

(4) After sub-paragraph (1), there is inserted—

“(1A) The 2006 regulations apply to a service provision change—

- (a) in accordance with a nuclear transfer scheme, or
- (b) in accordance with a modification agreement,

as if (in so far as that would not otherwise be the case) the references in those regulations to the transferor were references to the person by whom the activities affected by the service provision change were carried out immediately before the coming into force of the service provision change.”

(5) In sub-paragraph (2), after “a transfer” there is inserted “(or service provision change)”.

(6) In sub-paragraph (3), after “transfer”, in both places where it occurs, there is inserted “(or service provision change)”.

(7) In sub-paragraph (4), for the definition of “undertaking” there is substituted—

“references to a service provision change are references to a service provision change falling within regulation 3(1)(b) of the 2006 regulations.”