

SCHEDULE 5

Changes to participants

PART 1

Public bodies: government

SECTION 2

Creation of new departments

Creation of a new department

3. This section applies where—
- (a) from part of a participant (“A”) and part of another participant (“B”), a department (“C”) is created in year 1; and
 - (b) A and B continue as participants.

Creation of a new department: year 1

4. In year 1—
- (a) C must—
 - (i) apply for registration as a participant in accordance with article 11; and
 - (ii) comply with Part 5 as if C existed for the whole of year 1;
 - (b) A and B must comply with this Order as if C had not been created.

Creation of a new department: year 2

5. In the year after year 1 (“year 2”)—
- (a) C must comply with Parts 4 and 5 of this Order; and
 - (b) A and B must comply with this Order as if C had not been created.

Creation of a new department: after year 2

6. In the years after year 2—
- (a) C must comply with this Order as applicable to the years after year 2; and
 - (b) A and B must comply with this Order as applicable to the years after year 2 but where A and B do not include C.

Deemed supplies of the new department

7.—(1) For the purposes of this section, the Secretary of State may declare in writing that a supply of electricity or gas—

- (a) to A or B is deemed to be a supply to C;
- (b) to C is deemed to be a supply to A or B.

(2) A declaration made under sub-paragraph (1) must be provided by the Secretary of State to the administrator as soon as possible.