
STATUTORY INSTRUMENTS

2014 No. 2043

The Electricity Capacity Regulations 2014

PART 12

Other functions of the administrative parties

Appointment of Settlement Body

80.—(1) The Secretary of State must, as soon as reasonably practicable after this regulation comes into force, appoint a person to be the Settlement Body.

(2) The Secretary of State may terminate the appointment of a person as Settlement Body.

(3) If the Secretary of State terminates the appointment of a person (“A”) as Settlement Body, the Secretary of State must—

- (a) as soon as reasonably practicable, appoint another person (“B”) to that position; and
- (b) make arrangements to ensure that any funds held by A under these Regulations [^{F1}or the Supplier Payment Regulations] are transferred to B.

(4) The Secretary of State must give notice to—

- (a) each capacity provider;
- (b) each electricity supplier; and
- (c) the other administrative parties,

of an appointment, or the termination of an appointment, under paragraph (1), (2) or (3)(a).

Textual Amendments

F1 Words in reg. 80(3)(b) inserted (18.12.2014) by [The Electricity Capacity \(Supplier Payment etc.\) Regulations 2014 \(S.I. 2014/3354\)](#), reg. 1(2), [Sch. 2 para. 10](#)

Review by Secretary of State

81.—(1) The Secretary of State must from time to time—

(a) carry out a review of—

(i) these Regulations [^{F2}and the Supplier Payment Regulations]; ^{F3}...

^{F3}(ii)

(b) set out the conclusions in a report; and

(c) publish the report.

(2) The report must in particular—

(a) set out the objectives intended to be achieved by these Regulations [^{F4}and the Supplier Payment Regulations];

Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Electricity Capacity Regulations 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (b) assess the extent to which those objectives are achieved; and
- (c) assess whether those objectives remain appropriate and, if so, the extent to which they could be achieved in a less burdensome way.

(3) The first report under this regulation must be published before the end of the period of five years beginning with the date on which these Regulations come into force.

(4) Reports under this regulation are, after the first report, to be published at intervals not exceeding five years.

(5) In carrying out the review under paragraph (1)(a), the Secretary of State must take account of any reports published by the Authority under regulation 82 or provided to the Secretary of State under regulation 83.

Textual Amendments

- F2** Words in [reg. 81\(1\)\(a\)\(i\)](#) inserted (18.12.2014) by [The Electricity Capacity \(Supplier Payment etc.\) Regulations 2014 \(S.I. 2014/3354\)](#), [reg. 1\(2\)](#), [Sch. 2 para. 11](#)
- F3** [Reg. 81\(1\)\(a\)\(ii\)](#) and word omitted (14.7.2016) by virtue of [The Electricity Capacity \(Amendment\) Regulations 2016 \(S.I. 2016/742\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 39](#)
- F4** Words in [reg. 81\(2\)\(a\)](#) inserted (18.12.2014) by [The Electricity Capacity \(Supplier Payment etc.\) Regulations 2014 \(S.I. 2014/3354\)](#), [reg. 1\(2\)](#), [Sch. 2 para. 11](#)

Modifications etc. (not altering text)

- C1** [Reg. 81](#) modified (4.7.2020) by [The Electricity Capacity \(Amendment etc.\) \(Coronavirus\) Regulations 2020 \(S.I. 2020/697\)](#), [reg. 1\(2\)](#), [Sch. 2 para. 6](#)

Review of capacity market rules

82.—(1) The Authority [^{F5}and the Secretary of State must each from time to time, in accordance with capacity market rules]—

- (a) carry out a review of capacity market rules;
- (b) set out the conclusions in a report; and
- (c) publish the report.

^{F6}(2)

^{F6}(3)

^{F6}(4)

Textual Amendments

- F5** Words in [reg. 82\(1\)](#) substituted (14.7.2016) by [The Electricity Capacity \(Amendment\) Regulations 2016 \(S.I. 2016/742\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 40\(a\)](#)
- F6** [Reg. 82\(2\)-\(4\)](#) omitted (14.7.2016) by virtue of [The Electricity Capacity \(Amendment\) Regulations 2016 \(S.I. 2016/742\)](#), [reg. 1\(2\)](#), [Sch. 1 para. 40\(b\)](#)

Annual operational reports

83.—(1) The Authority must—

- (a) provide the Secretary of State with an annual report on—
 - (i) the operation of the capacity market; and

- (ii) the Delivery Body's performance of its functions in relation to the capacity market;
and
 - (b) publish the report.
- (2) The annual report must also include a report on any particular matters specified in a notice given by the Secretary of State to the Authority.
- (3) The Secretary of State must give any notice to the Authority under paragraph (2) not later than 3 months before the date by which the Authority is required to provide the annual report.
- (4) The first report under this regulation must be provided to the Secretary of State by no later than 6 months after the completion of the first capacity auction.
- (5) Reports under this regulation are afterwards to be provided to the Secretary of State—
- (a) by no later than 6 months after the completion of each T-4 auction; and
 - (b) if no T-4 auction is held in a capacity year, by no later than 6 months after the end of that capacity year.

Settlement Body's annual report

- 84.**—(1) The Settlement Body must, in respect of each capacity year which commences after this regulation comes into force, produce an annual report on its performance of its functions.
- (2) The Settlement Body must, not later than 3 months after the end of the capacity year to which it relates—
- (a) provide the report to the Secretary of State; and
 - (b) publish the report.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Electricity Capacity Regulations 2014. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:

Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):

- Sch. 1 para. 2(5) words substituted by [S.I. 2024/434 reg. 12\(a\)](#)
- reg. 3(3) words inserted by [S.I. 2024/434 reg. 8](#)
- reg. 4(b) word substituted by [S.I. 2024/434 reg. 9\(c\)](#)
- reg. 4(2)(aa) inserted by [S.I. 2024/434 reg. 9\(b\)\(iii\)](#)
- reg. 19(aa) inserted by [S.I. 2024/434 reg. 11\(b\)](#)