

---

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 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).

**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; and
  - (ii) the functions conferred on the Authority by capacity market rules;
- (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;
- (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.

### **Review of capacity market rules**

**82.**—(1) The Authority must from time to time—

- (a) carry out a review of capacity market rules;
- (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 the rules;
- (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 capacity market rules first come into force.

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

### **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.