



Energy Act 2023

2023 CHAPTER 52

PART 5

INDEPENDENT SYSTEM OPERATOR AND PLANNER

General duties

164 Duty to have regard to particular matters

- (1) The ISOP must, when carrying out its functions, have regard to—
 - (a) the need to facilitate competition between persons who carry out a relevant activity (except to the extent that such persons are, in accordance with or by virtue of an enactment, not subject to competition in relation to the activity);
 - (b) the consumer impact of a relevant activity;
 - (c) the whole-system impact of a relevant activity;
 - (d) the desirability of facilitating innovation in relation to the carrying out of relevant activities.
- (2) The reference in subsection (1)(b) to the consumer impact of a relevant activity is a reference to the impact (or likely impact) of—
 - (a) the behaviour of persons who carry out the activity on existing and future consumers, and
 - (b) the behaviour of existing and future consumers on the carrying out of the activity.
- (3) The reference in subsection (1)(c) to the whole-system impact of a relevant activity is a reference to the impact (or likely impact) of—
 - (a) the carrying out of the activity, and
 - (b) the behaviour of existing and future consumers in relation to the carrying out of the activity,in relation to the carrying out of other relevant activities.

*Changes to legislation: There are currently no known outstanding effects
for the Energy Act 2023, Section 164. (See end of Document for details)*

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Commencement Information

- I1** S. 164 not in force at Royal Assent, see [s. 334\(1\)](#)
- I2** [S. 164](#) in force at 31.1.2024 by [S.I. 2024/32, reg. 3\(a\)\(ii\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2023, Section 164.