

**Changes to legislation:** Electricity Act 1989, Cross Heading: Persons required to be certified as to independence is up to date with all changes known to be in force on or before 25 May 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

## F<sup>1</sup> SCHEDULES

### [<sup>F1</sup>SCHEDULE 6A

#### PROVISIONS IMPOSING OBLIGATIONS ENFORCEABLE AS RELEVANT REQUIREMENTS

##### Textual Amendments

**F1** Sch. 6A inserted (10.11.2011) by [The Electricity and Gas \(Internal Markets\) Regulations 2011 \(S.I. 2011/2704\)](#), regs. 1(1), 39(5), **Sch. 4** (as amended (14.1.2015) by [S.I. 2014/3332](#), regs. 1(1), 7)

##### Modifications etc. (not altering text)

**C1** Sch. 6A: power to amend conferred (18.12.2013) by [Energy Act 2013 \(c. 32\)](#), ss. **38(c)**, 156(3)

#### *Persons required to be certified as to independence*

4. The following are relevant provisions in relation to a person who holds a transmission licence or an interconnector licence and is required to be certified under section 10D—
- (a) section 10A;
  - (b) section 10B(4) and (6);
  - (c) section 10J(2) and (4);
- [<sup>F2</sup>(ca) any Article of <sup>F3</sup>... the Electricity Balancing Regulation <sup>F4</sup>...;]
- [<sup>F5</sup>(d) in the Electricity Regulation—
- (i) Article 6(13) (duties in respect of publication of information),
  - (ii) Article 7 (duties in relation to day-ahead and intraday markets),
  - (iii) Article 9 (duties in relation to forward markets),
  - (iv) Article [<sup>F6</sup>16(1), (2), (4)], (6), (10) and (11) (duties concerning capacity allocation and congestion management),
  - <sup>F7</sup>(v) .....
  - (vi) Article 18(1), (3), (4) and (6) (duties relating to charges for access to networks, use of network and reinforcement),
  - (vii) Article 19(2) and (3) (congestion income),
  - <sup>F8</sup>(viii) .....
  - <sup>F8</sup>(ix) .....
  - <sup>F8</sup>(x) .....
  - <sup>F8</sup>(xi) .....
  - (xii) Article 50(1) to (4) (duties relating to publication of specified information),
  - <sup>F9</sup>(xiii) .....
- (da) Article 8 (publication on the internet) of the Electricity Transmission System Operation Regulation;

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- (db) in the Network Code on Electricity Emergency and Restoration—
  - (i) Article 36(2) (publication of rules for suspension and restoration of market activities),
  - (ii) Article 39(1) duty to develop and publish rules for settlement in case of suspension of market activities);]
- <sup>F10</sup>(e) .....
- (f) Article 2 of the ITC Regulation (duty to apply access charges in accordance with guidelines);
- <sup>F11</sup>(g) .....
- <sup>F12</sup>(h) in the Transparency Regulation—
  - (i) Article 6 (information on total load),
  - (ii) Article 7 (information relating to the unavailability of consumption units),
  - (iii) Article 8 (year-ahead forecast margin),
  - (iv) Article 9 (transmission infrastructure),
  - (v) Article 10 (information relating to the unavailability of transmission infrastructure),
  - (vi) Article 11 (information relating to the estimation and offer of cross zonal capacities),
  - (vii) Article 12 (information relating to the use of cross zonal capacities),
  - (viii) Article 13 (information relating to congestion management measures),
  - (ix) Article 14 (forecast generation),
  - (x) Article 15 (information relating to the unavailability of generation and production units),
  - (xi) Article 16 (actual generation),
  - (xii) Article 17 (balancing).]

#### Textual Amendments

- F2** Sch. 6A para. 4(ca) inserted (25.2.2020) by [The Electricity and Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/96\)](#), regs. 1, **3(9)(c)(i)**
- F3** Words in Sch. 6A para. 4(ca) omitted (31.12.2020) by virtue of S.I. 2019/530, reg. 62(2)(a)(i) (as substituted by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(25)(c)**)
- F4** Words in Sch. 6A para. 4(ca) omitted (31.12.2020) by virtue of S.I. 2019/530, reg. 62(2)(a)(ii) (as substituted by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(25)(c)**)
- F5** Sch. 6A para. 4(d)-(db) substituted for Sch. 6A para. 4(d) (25.2.2020) by [The Electricity and Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/96\)](#), regs. 1, **3(9)(c)(ii)**
- F6** Words in Sch. 6A para. 4(d)(iv) substituted (31.12.2020) by S.I. 2019/530, reg. 62(2)(b)(i) (as substituted by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(25)(c)**)
- F7** Sch. 6A para. 4(d)(v) omitted (31.12.2020) by virtue of S.I. 2019/530, reg. 62(2)(b)(ii) (as substituted by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(25)(c)**)

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- F8** Sch. 6A para. 4(d)(viii)-(xi) omitted (31.12.2020) by virtue of S.I. 2019/530, reg. 62(2)(b)(iii) (as substituted by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(25)(c)**)
- F9** Sch. 6A para. 4(d)(xiii) omitted (31.12.2020) by virtue of S.I. 2019/530, reg. 62(2)(b)(iv) (as substituted by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(25)(c)**)
- F10** Sch. 6A para. 4(e) omitted (25.2.2020) by virtue of [The Electricity and Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/96\)](#), regs. 1, **3(9)(c)(iii)**
- F11** Sch. 6A para. 4(g) omitted (31.12.2020) by virtue of S.I. 2019/530, reg. 62(2)(c) (as substituted by [The Electricity and Gas etc. \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/1016\)](#), regs. 1(2), **3(25)(c)**)
- F12** Sch. 6A para. 4(h) inserted (25.2.2020) by [The Electricity and Gas \(Internal Markets\) Regulations 2020 \(S.I. 2020/96\)](#), regs. 1, **3(9)(c)(iv)**

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

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

- s. 4(1)(f) and word inserted by [2023 c. 52 s. 186\(3\)\(b\)](#)
- s. 4(1)(ca) inserted by [2023 c. 52 s. 166\(2\)](#)
- s. 4(1)(da) inserted by [2023 c. 52 s. 205\(2\)\(b\)](#)
- s. 4(3H)(3I) inserted by [2023 c. 52 s. 186\(4\)](#)
- s. 4(3CA) inserted by [2023 c. 52 s. 205\(3\)](#)
- s. 4(3EA) inserted by [2023 c. 52 s. 205\(5\)](#)
- s. 6(1)(g) and word inserted by [2023 c. 52 s. 186\(7\)\(b\)](#)
- s. 6(1)(ea) inserted by [2023 c. 52 s. 205\(8\)\(b\)](#)
- s. 6(2C) inserted by [2023 c. 52 s. 186\(8\)](#)
- s. 6(2AA) inserted by [2023 c. 52 s. 205\(9\)](#)
- s. 6(6E) inserted by [2023 c. 52 s. 205\(10\)](#)
- s. 7(3GA) inserted by [2023 c. 52 s. 186\(17\)](#)
- s. 7A(11B) inserted by [2023 c. 52 s. 186\(18\)](#)
- s. 8A(1C) inserted by [2023 c. 52 s. 206\(6\)](#)
- s. 10NA inserted by [2023 c. 52 s. 207\(2\)](#)
- s. 11E(2)(d) and word inserted by [2013 c. 32 s. 138\(5\)\(b\)\(iii\)](#)
- s. 15(2)(aa) inserted by S.I. 2019/93, Sch. 1 para. 3(2)(b) (as substituted) by [S.I. 2019/1245 reg. 19](#) (This amendment not applied to [legislation.gov.uk](#). The affecting statutory instrument has no legal effect. It was made under a procedure which meant that it ceased to have effect 28 days after signing unless it was debated and approved in Parliament within that time. It was not debated and approved within 28 days, so it has expired with no effect.)
- s. 25(8A) inserted by [2023 c. 52 Sch. 14 para. 7\(3\)](#)
- s. 44A inserted by [1992 c. 43 s. 23](#)
- s. 44A(6)(b)(i) words substituted by [2013 c. 22 Sch. 9 para. 52](#)
- s. 44B(1)(a)(iiia) inserted by [2023 c. 52 Sch. 17 para. 8](#)
- s. 56C(6)(d) and word inserted by [2013 c. 32 s. 138\(5\)\(d\)\(ii\)](#)
- Sch. 6A para. 9ZA and cross-heading inserted by [2023 c. 52 Sch. 14 para. 8](#)