



Electricity Act 1989

1989 CHAPTER 29

PART I

ELECTRICITY SUPPLY

[^{F1}Electricity transmission and the operation of electricity interconnectors: independence

[^{F1}10I Monitoring and review of certification

- (1) The Authority must monitor, in respect of each certified person, whether the basis on which the Authority decided to certify the person, including the certification ground on which the person was certified, (the “certification basis”) continues to apply.
- (2) If, ^{F2}... as result of information it has received or obtained, the Authority thinks that a person from a [^{F3}country outside the United Kingdom] has taken or may take control of a certified person, the Authority must, as soon as is reasonably practicable—
 - (a) notify the information to the Secretary of State ^{F4}...; and
 - (b) enclose with the notification to the Secretary of State any further information which, at the time of the notification, the Authority has in its possession and thinks is relevant to the question of whether the security of electricity supplies in the United Kingdom ^{F5}... would be put at risk by the continued certification of the person.
- ^{F6}(3)
- ^{F7}(4)
- (5) The Authority may ^{F8}... review whether the certification basis in respect of a certified person continues to apply if—
 - (a) the certified person notifies it of any event or circumstance which may affect that basis; or
 - (b) the Authority thinks that the basis may no longer apply.
- (6) A review under subsection (5) is to be carried out within the 4 months beginning with—

Changes to legislation: Electricity Act 1989, Section 10I is up to date with all changes known to be in force on or before 28 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

- (a) if paragraph (a) of subsection (5) applies, the day on which the Authority receives the notification under that paragraph;
 - (b) otherwise, the first day on which the Authority thinks that the certification basis may no longer apply.
- (7) Subsection (8) applies where—
- (a) by virtue of section 10F(7) or (9), the Authority has treated the fourth or fifth test under section 10F as passed in relation to a person;
 - (b) the person is certified in reliance on that treatment; and
 - (c) the period specified under section 10G as the period at the end of which that treatment will cease comes to an end.
- (8) Where this subsection applies, the Authority must review whether that test is now passed.
- (9) A review under subsection (8) is to be carried out within the 4 months beginning with the end of the period mentioned in subsection (7)(c).]
- [^{F9}(10) If, before any of the deadlines mentioned in subsection ^{F10} ..., (6) or (9) (or before such deadline as previously extended under this subsection), the Authority asks the certified person or a relevant producer or supplier for information under section 10J(2) or (3), the relevant deadline is the end of the 4 months beginning with the day on which the last of that information is received.]

Textual Amendments

- F1** Ss. 10A-10O and cross-heading inserted (10.11.2011) by [The Electricity and Gas \(Internal Markets\) Regulations 2011 \(S.I. 2011/2704\)](#), regs. 1(1), **5**
- F2** Words in s. 10I(2) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **49(2)(a)** (with reg. 51) (as amended by S.I. 2020/1016, regs. 1(2), 3(20)); 2020 c. 1, Sch. 5 para. 1(1)
- F3** Words in s. 10I(2) substituted (31.12.2020) by [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **49(2)(b)** (with reg. 51) (as amended by S.I. 2020/1016, regs. 1(2), 3(20)); 2020 c. 1, Sch. 5 para. 1(1)
- F4** Words in s. 10I(2)(a) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **49(2)(c)** (with reg. 51) (as amended by S.I. 2020/1016, regs. 1(2), 3(20)); 2020 c. 1, Sch. 5 para. 1(1)
- F5** Words in s. 10I(2)(b) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **49(2)(d)** (with reg. 51) (as amended by S.I. 2020/1016, regs. 1(2), 3(20)); 2020 c. 1, Sch. 5 para. 1(1)
- F6** S. 10I(3) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **49(3)** (with reg. 51) (as amended by S.I. 2020/1016, regs. 1(2), 3(20)); 2020 c. 1, Sch. 5 para. 1(1)
- F7** S. 10I(4) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **49(3)** (with reg. 51) (as amended by S.I. 2020/1016, regs. 1(2), 3(20)); 2020 c. 1, Sch. 5 para. 1(1)
- F8** Word in s. 10I(5) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **49(4)** (with reg. 51) (as amended by S.I. 2020/1016, regs. 1(2), 3(20)); 2020 c. 1, Sch. 5 para. 1(1)
- F9** S. 10I(10) inserted (15.1.2015) by [The Electricity and Gas \(Ownership Unbundling\) Regulations 2014 \(S.I. 2014/3333\)](#), regs. 1(1), **3(4)** (with reg. 4)

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F10 Word in s. 10I(10) omitted (31.12.2020) by virtue of [The Electricity and Gas etc. \(Amendment etc.\) \(EU Exit\) Regulations 2019 \(S.I. 2019/530\)](#), regs. 1(1), **49(5)** (with reg. 51) (as amended by S.I. 2020/1016, regs. 1(2), 3(20)); 2020 c. 1, Sch. 5 para. 1(1)

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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](#)