2003 No. 848

ELECTRICITY

The Electricity (Applications for Licences and Extensions and Restrictions of Licences) (Amendment) Regulations 2003

Made - - - - -	*13th March 2003*
Coming into force - -	*11th April 2003*

The Gas and Electricity Markets Authority(**a**) in exercise of the powers conferred on it by sections 6A(2), (3) and (6)(**b**), 60 and 64(1)(**c**) of the Electricity Act 1989, and of all other powers enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and transitional

1.—(1) These Regulations may be cited as the Electricity (Applications for Licences and Extensions and Restrictions of Licences) (Amendment) Regulations 2003 and shall come into force on 11th April 2003.

(2) In relation to any application made before the date on which these Regulations come into force the Electricity (Applications for Licences and Extensions and Restrictions of Licences) Regulations 2001(**d**) ("the principal Regulations") shall continue to apply in their unamended form.

Amendments to the principal Regulations

2. Regulation 8 of the principal Regulations (Notice of applications) shall be replaced by a new Regulation as follows:

"**Notice of applications**

8.—(1) The period prescribed for the purpose of section 6A(3) of the Act (notice of applications) is ten working days ("the prescribed period").

(2) The applicant shall take all reasonable steps to ensure that notice of application is published within the prescribed period either on

(i) the website address of the Authority (at "www.ofgem.gov.uk" or such other website address as may be notified to the applicant by the Authority in writing), or

(ii) together with a link from that website address to the website address of the applicant, on the website address of the applicant.

(**a**) The Gas and Electricity Markets Authority was established under section 1(1) of the Utilities Act 2000 (c. 27).
(**b**) Section 6 of the Electricity Act 1989 (c. 29) was substituted by section 30 of the Utilities Act 2000 which introduced a new section 6 and sections 6A and 6B into the 1989 Act.
(**c**) The definition was amended by section 108 of, and paragraphs 24, 38(1) and (6) of Part II of Schedule 6 to, the Utilities Act 2000.
(**d**) S.I. 2001/3354.

(3) In the event that it is not practicable to publish notice of application as specified in paragraph 2 above, the Authority may specify by notice in writing an alternative means of publication.

(4) Where an application is for the restriction of a licence, the applicant shall also ensure that notice of application is published within the prescribed period in such newspapers as are calculated to ensure that the notice is circulated throughout the area to which the proposed restriction relates."

3. Schedule 1 to the principal Regulations shall be amended by the addition of the following paragraph:

"*CRIMINAL OFFENCES*

4. Give particulars of any criminal convictions (other than for offences under the Road Traffic Offenders Act 1988(**a**) or convictions in respect of which the person has become rehabilitated under the Rehabilitation of Offenders Act 1974(**b**) of the applicant or any person specified in paragraph 2(2)(c), 2(2)(d), 2(3) or 2(4).".

4. Schedule 2 to the principal Regulations shall be deleted save that such deletion shall not affect any condition in a licence having effect under the Act which refers to the provisions of the Schedule.

5.—(1) In Schedule 3 Part I delete paragraph 2.

(2) In Schedule 3 Part II delete paragraphs 2, 3, 4, 5 and 6.

(3) In Schedule 3 Part III

(a) delete paragraphs 3, 4, 5, 6, 7, 8 and 9(a)(ii) and (iii);

(b) after paragraph 2 insert

"**3.** Provide particulars of the applicant's proposed arrangements for compliance with the applicable requirements of standard conditions 6 (Safety and Security of Supplies Enquiry Service), 8 (Provisions Relating to the Connection of Metering Equipment), 17 (Provision of Services for Persons who are of Pensionable Age, Disabled or Chronically Sick), 18 (Provision of Services for Persons who are Blind or Deaf), 19 (Code of Practice on Procedures with Respect to Site Access); and 21 (Complaint Handling Procedure).".

(4) In Schedule 3 Part IV

(a) delete paragraphs 2, 3, 4, 5 and 6(a)(ii) and (iii);

(b) after paragraph 1 insert

"*Supply to domestic premises*

2. Provide particulars of the applicant's proposed arrangements for compliance with the applicable requirements of standard conditions 7 (Duty to Offer Terms for Meter Provision), 24 (Code of Practice on Procedures with Respect to Site Access), 25 (Efficient Use of Electricity), 35 (Code of Practice on Payment of Bills and Guidance for Dealing with Customers in Difficulty), 37 (Provision of Services for Persons who are of Pensionable Age or Disabled or Chronically Sick), 38 (Provision of Services for Persons who are Blind or Deaf), and 43 (Contractual Terms—Methods of Payment)."

(c) after paragraph 2 insert

"*Supply to non-domestic premises*

3. Provide particulars of the applicant's proposed arrangements for compliance with the applicable requirements of standard condition 7 (Duty to Offer Terms for Meter Provision).".

(**a**) 1988 c. 53.
(**b**) 1974 c. 53.

6. Schedule 4 (application fees) shall be replaced by the following:

SCHEDULE 4

Regulation 7

APPLICATION FEES

COLUMN 1 *Description of application*	COLUMN 2 *Fee payable, £*
Generation 1. Application for licence	450
Transmission 2 Application for licence	450
Distribution 3. Application for licence to distribute electricity within a specified area	1,250
4. Application for extension or restriction	125
Supply 5. Application for licence (not including authorisation to supply electricity to domestic premises)	450
6. Application for licence including authorisation to supply electricity to domestic premises	1,150
7. Application for extension of a licence so as to include authorisation to supply electricity to domestic premises	1,000
8. Application for any other extension or restriction	400

The seal of the Gas and Electricity Markets Authority here affixed is authenticated by the signature of

L.S.

J. S. Neilson
A member of the Authority

13th March 2003

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Electricity (Applications for Licences and Extensions and Restrictions of Licences) Regulations 2001 ("the principal Regulations") which set out the information and other documents that are required to be submitted with applications for electricity generation, transmission, distribution and supply licences (and for extensions or restrictions of supply and distribution licences) under the Electricity Act 1989. These regulations amend the form and manner of such applications, the manner in which the applications are to be published as well as the fees for such applications.

Regulation 2, which replaces Regulation 8 of the principal Regulations, concerns the notice period and the publication requirements for applications. Paragraph 1 increases the notice period to 10 working days. Paragraph 2 introduces a requirement for that notice of application to be published on the website of the Authority or via a link from the website of the Authority to the website of the applicant, on that of the applicant. Applications for extensions must be published in local newspapers.

Regulation 3 requires applicants to give, with certain exceptions, particulars of any criminal convictions.

Regulation 5 reduces the additional information and documents which must accompany applications.

Regulation 6 fixes a new level of fees for applications.

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