STATUTORY INSTRUMENTS

2026 No. 149

ENERGY

The Utilities Act 2000 (Amendment of Section 105) Order 2026

Made - - - -	*19th February 2026*
Laid before Parliament	*23rd February 2026*
Coming into force - -	*16th March 2026*

The Secretary of State makes this Order in exercise of the power conferred by section 105(7) of the Utilities Act 2000(**a**).

Citation, commencement and extent

1.—(1) This Order may be cited as the Utilities Act 2000 (Amendment of Section 105) Order 2026 and comes into force on 16th March 2026.

(2) This Order extends to England and Wales and Scotland.

Amendment to the Utilities Act 2000

2. In section 105(3) of the Utilities Act 2000 (exceptions to the general restriction on disclosure of information), after paragraph (ac), insert—

"(aca) it is made for the purpose of facilitating the performance of any functions of—

(i) the Secretary of State under section 13 of the Energy Prices Act 2022(**b**), or

(ii) any person under regulations under section 19 of that Act;

(acb) it is made by a person who is subject to a direction given under section 22 of the Energy Prices Act 2022 for the purpose of complying with the direction;".

(**a**) 2000 c. 27. Section 105(1)(a) was amended by the Energy Act 2004 (c. 20), sections 186(a), 198(2); S.I. 2004/2575, article 2(1), Schedule 1; the Energy Act 2008 (c. 32), section 110(2), Schedule 5 paragraph 15(a); S.I. 2009/45, article 2(e)(iv); S.I. 2009/45, article 2(e)(iv); the Energy Act 2010 (c. 27), section 38(3), Schedule paragraph 16(a); the Energy Act 2013 (c. 32), sections 52, 156(2); the Domestic Gas and Electricity (Tariff Cap) Act 2018 (c. 21), sections 11(4)(a), 13(2); the Nuclear Energy (Financing) Act 2022 (c. 15), sections 44(2)(d), Schedule paragraph 2(3)(a); the Energy Prices Act 2022 (c. 44), section 30(6), Schedule 7 paragraph 6(a) (with section 29); the Energy Act 2023 (c. 52), section 334(3)(a), Schedule 5 paragraph 5(a); S.I. 2024/957, regulation 2(a) and S.I. 2024/706, regulations 1(1), 5(6)(a). Section 105(3)(ac) was inserted by the Energy Prices Act 2022 (c. 44), section 30(6), Schedule 7 paragraph 6(b) (with section 29). Section 105(11A) was inserted by the Consumers, Estate Agents and Redress Act 2007 (c. 17), section 66(2), Schedule 7 paragraph 20(d); S.I. 2008/2550, article 2, Schedule. Section 105(11A) was amended by S.I. 2014/631, article 1(3), Schedule 1 paragraph 8(9)(c) (with Schedule 1 paragraph 28, Schedule 2 paragraphs 13 to 15) and S.I. 2022/34, article 1(1), Schedule paragraph 5(6)(d) (with article 5). Section 105(11B) was inserted by S.I. 2011/2704, regulations 1(1), 36(2). There are other amendments to section 105 which are not relevant.

(**b**) 2022 c. 44.

Alan Whitehead
Minister of State
19th February 2026 Department for Energy Security and Net Zero

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 inserts new paragraphs into section 105(3) of the Utilities Act 2000 (c. 27) ("the Act").

The effect of this insertion is to create exemptions to the prohibition on information sharing in section 105(1) of the Act. New paragraph (aca) exempts disclosure made for the purpose of facilitating the performance of the Secretary of State's functions under section 13 of the Energy Prices Act 2022 (c. 44) or the performance of the functions of any person under regulations under section 19 of that Act. New paragraph (acb) exempts disclosure made by a person subject to a direction under section 22 of that Act where the disclosure is for the purpose of complying with the direction.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private, voluntary or public sector is foreseen.

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