

Electricity Act 1989 c. 29

s. 10 Powers etc. of licence holders.

Law In Force

Version 5 of 5

31 January 2024 - Present

Subjects

Energy; Utilities

Keywords

Abstraction of water; Authorisations; Compensation; Compulsory purchase; Electricity licences; Electricity lines; Hydroelectric power; Licence holders; Ministers' powers and duties; Powers rights and duties

10.— Powers etc. of licence holders.

(1) Subject to subsection (2) below, [Schedule 3](#) to this Act (which provides for the compulsory acquisition of land) and [Schedule 4](#) to this Act (which confers other powers and makes other provision) shall have effect—

(a) in relation to [...] ¹ [the holder of a transmission licence] ² [or of an electricity system operator licence] ³ ; and

(b) to the extent that his licence so provides, in relation to [an electricity distributor or] ⁴ any other licence holder;

and references in those Schedules to a licence holder shall be construed accordingly.

(2) Where any provision of either of the Schedules mentioned in subsection (1) above is applied to a licence holder by his licence, it shall have effect subject to such restrictions, exceptions and conditions as may be included in the licence for the purpose of qualifying that provision as so applied or any power or right conferred by or under it.

(3) [A generation licence] ⁵ may provide that [Schedule 4](#) to this Act shall have effect in relation to the licence holder as if—

(a) any reference to any purpose connected with the carrying on of the activities which he is authorised by his licence to carry on included a reference to any purpose connected with the supply to any premises of heat produced in association with electricity and steam produced from and air and water heated by such heat; and

(b) any reference to electric lines or electrical plant included a reference to pipes and associated works used or intended to be used for conveying heat so produced, and steam produced from and air and water heated by such heat;

and in this subsection “*associated works*”, in relation to pipes, means any of the following connected with the pipes, namely, any valve, filter, stopcock, pump, meter, inspection chamber and manhole and such other works as may be prescribed.

[

(3A) Subsection (3) applies in relation to any purpose connected with the supply to any premises of any gas or liquid subjected to a cooling effect produced in association with electricity as it applies to a purpose mentioned in that subsection.

] ⁶ [

(4) A transmission licence may provide that, where the licence is modified under [[section 6\(6B\)](#) or [11A](#)] ⁸ above so as to reduce in any respect the area in which the licence holder may carry on activities, [Schedule 4](#) to this Act shall have effect in relation to him as if any reference to the activities which he is authorised by his licence to carry on included a reference to the activities which he was previously so authorised to carry on.

] ⁷

(5) The provisions of [Schedule 5](#) to this Act (which provide for the acquisition of water rights for hydro-electric stations in Scotland) shall have effect.

Notes

- 1 Words repealed subject to transitional provisions as specified in SI 2001/3266 arts 3-20 by Utilities Act 2000 c. 27 [Sch.8 para.1](#) (October 1, 2001: repeal has effect as SI 2001/3266 subject to transitional provisions as specified in SI 2001/3266 arts 3-20)
- 2 Words substituted by Energy Act 2004 c. 20 [Sch.19 para.9\(2\)](#) (September 1, 2004)
- 3 Words inserted by Energy Act 2023 c. 52 [Sch.11 para.6](#) (January 31, 2024)
- 4 Words added by Utilities Act 2000 c. 27 [Pt IV s.53\(2\)](#) (October 1, 2001 subject to transitional provisions as specified in SI 2001/3266 arts 3-20)
- 5 Words substituted by Utilities Act 2000 c. 27 [Pt IV s.53\(3\)](#) (October 1, 2001 subject to transitional provisions as specified in SI 2001/3266 arts 3-20)
- 6 Added by Utilities Act 2000 c. 27 [Pt IV s.53\(4\)](#) (October 1, 2001 subject to transitional provisions as specified in SI 2001/3266 arts 3-20)
- 7 Substituted by Energy Act 2004 c. 20 [Sch.19 para.9\(3\)](#) (September 1, 2004)
- 8 Words repealed by Electricity and Gas (Internal Markets) Regulations 2011/2704 [Pt 9 reg.45\(1\)](#) (November 10, 2011)

Part I ELECTRICITY SUPPLY > Licensing of supply etc. > s. 10 Powers etc. of licence holders.

Contains public sector information licensed under the Open Government Licence v3.0.