

GUERNSEY STATUTORY INSTRUMENT

2022 No. 32

The Electricity (Guernsey Electricity Limited - Licence Modifications) Regulations, 2022

<i>Made</i>	5 th May, 2022
<i>Coming into operation</i>	5 th May, 2022
<i>Laid before the States</i>	,2022

THE STATES' TRADING SUPERVISORY BOARD, having consulted the Guernsey Competition and Regulation Authority, and in exercise of the powers conferred on it by section 2(3) of the Electricity (Guernsey) Law, 2001 (Amendment) Ordinance, 2022 and all other powers enabling it in that behalf, hereby makes the following Regulations:-

Amendment of GEL's licence.

1. (1) The licence dated 1st February 2012 issued to Guernsey Electricity Limited under section 2(1) of the Electricity (Guernsey) Law, 2001^a is modified as follows.

(2) In paragraph 17.1 of Condition 17 (Cross Subsidisation), at the end insert "Pursuant to section 5(7) of the Electricity Law, to the extent that unfair subsidisation or unfair cross subsidisation by the licensee relates to the supply of electricity, the enforcement of the requirements of this Condition is not a function of the Authority; and paragraph 17.2 below shall be construed accordingly."

^a Ordres en Conseil Vol. XLI, p. 343. This enactment has been amended.

(3) In Condition 18 (Undue Preference and Unfair Discrimination), at the end insert "Pursuant to section 5(7) of the Electricity Law, to the extent that undue preference shown, or unfair discrimination exercised, by the licensee relates to the supply of electricity, the enforcement of the requirements of this Condition is not a function of the Authority."

(4) In paragraph 20.2 of Condition 20 (Price Regulated Services), for "relevant market" substitute "relevant market for the generation or conveyance of electricity".

(5) In paragraph 20.3 of Condition 20, at the end insert "Pursuant to section 5(7) of the Electricity Law, to the extent that published prices, discount schemes or special offers in relation to the supply of electricity breach the requirements of this paragraph, the enforcement of the requirements of this paragraph is not a function of the Authority."

(6) In paragraph 20.4 of Condition 20 –

(a) after "published price, discount scheme or special offer" insert "in relation to the generation or conveyance of electricity", and

(b) at the end insert "Pursuant to section 5(7) of the Electricity Law, taking enforcement action in respect of any published price, discount scheme or special offer in relation to the supply of electricity that is in breach of the Regulation Law, the Electricity Law or this Licence is not a function of the Authority."

Citation and commencement.

2. These Regulations may be cited as the Electricity (Guernsey Electricity Limited – Licence Modifications) Regulations, 2022 and shall come into force on being made.

Dated this 5th of May, 2022



P. J. ROFFEY

President of the States' Trading Supervisory Board

For and on behalf of the Board

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the licence issued to Guernsey Electricity Limited by the then Office of Utility Regulation in 2012, pursuant to, and to give effect to the provisions of, the Electricity (Guernsey) Law, 2001 (Amendment) Ordinance, 2022. In accordance with the requirements of that Ordinance, they were made after consultation with the Guernsey Competition Regulatory Authority.

These Regulations come into force on the 5th day of May, 2022.