



House of Commons

Monday 3 June 2013

CONSIDERATION OF BILL

ENERGY BILL, AS AMENDED

NOTE

The Amendments have been arranged in accordance with the Energy Bill (Programme (No.2)) Motion to be proposed by Secretary Edward Davey.

NEW CLAUSES AND NEW SCHEDULES RELATING TO ELECTRICITY MARKET REFORM, OTHER THAN ANY RELATING TO ELECTRICITY DEMAND REDUCTION, AMENDMENTS TO PART 2, OTHER THAN AMENDMENTS 1, 10, 34 TO 47, 51 AND 100, NEW CLAUSES AND NEW SCHEDULES RELATING TO NUCLEAR REGULATION, AMENDMENTS TO PART 3, AMENDMENTS TO PART 5 AND AMENDMENTS TO CLAUSES 121 TO 125

Power to make capacity market rules

Secretary Edward Davey

NC8

To move the following Clause:—

- ‘(1) The Secretary of State may make capacity market rules which, subject to subsection (2), may contain any provision that may be made by electricity capacity regulations.
- (2) Capacity market rules may not make—
 - (a) provision falling within—
 - (i) section 21(3);
 - (ii) section 22(3);
 - (iii) paragraphs (f) or (g) of section 22(4);
 - (iv) section 22(5)(a);
 - (v) paragraphs (b), (c), (d) or (f) of section 23(2);
 - (vi) section 24;
 - (vii) section [*Provision about electricity demand reduction*];
 - (b) provision for the Secretary of State to require a person to provide information or advice to the Secretary of State.
- (3) Electricity capacity regulations may make provision to confer on the Authority, to such extent and subject to such conditions as may be specified in the regulations, the power to make capacity market rules.

Energy Bill, continued

- (4) The conditions may in particular include conditions about consultation; and provision made by virtue of subsection (3) must provide that, before any exercise of the power to make capacity market rules, the Authority must consult—
 - (a) any person who is a holder of a licence to supply electricity under section 6(1)(d) of EA 1989;
 - (b) any person who is a capacity provider.
 - (5) Provision made by virtue of subsection (3) may include provision—
 - (a) for the reference to the Secretary of State in section 27(2)(c) to have effect, for the purposes of capacity market rules and to such extent as may be specified in the regulations, as a reference to the Authority;
 - (b) for section 27(3) to apply in relation to a disclosure required by virtue of the capacity market rules.’
-

Capacity market rules: procedure

Secretary Edward Davey

NC9

To move the following Clause:—

- ‘(1) Before the first exercise by the Secretary of State of the power to make capacity market rules, the Secretary of State must lay a draft of the rules before Parliament.
- (2) If, within the 40-day period, either House of Parliament resolves not to approve the draft, the Secretary of State may not take any further steps in relation to the proposed rules.
- (3) If no such resolution is made within that period, the Secretary of State may make the rules in the form of the draft.
- (4) Subsection (3) does not prevent a new draft of proposed capacity market rules being laid before Parliament.
- (5) In this section “40-day period”, in relation to a draft of proposed capacity market rules, means the period of 40 days beginning with the day on which the draft is laid before Parliament (or, if it is not laid before each House of Parliament on the same day, the later of the 2 days on which it is laid).
- (6) For the purposes of calculating the 40-day period, no account is to be taken of any period during which Parliament is dissolved or prorogued or during which both Houses are adjourned for more than 4 days.
- (7) Before any exercise by the Secretary of State of a power to make capacity market rules, the Secretary of State must consult—
 - (a) the Authority;
 - (b) any person who is a holder of a licence to supply electricity under section 6(1)(d) of EA 1989;
 - (c) any person who is a capacity provider;
 - (d) such other persons as the Secretary of State considers it appropriate to consult.
- (8) In relation to any exercise by the Secretary of State or the Authority of a power to make capacity market rules, the person making the rules must, as soon as

Energy Bill, *continued*

reasonably practicable after they are made, lay them before Parliament and publish them.’.

Capacity market rules: further provision

Secretary Edward Davey

NC10

To move the following Clause:—

- ‘(1) Capacity market rules may—
 - (a) include incidental, supplementary and consequential provision;
 - (b) make transitory or transitional provision or savings;
 - (c) make different provision for different cases or circumstances or for different purposes;
 - (d) make provision subject to exceptions.
 - (2) A power to make capacity market rules includes a power to amend, add to or remove capacity market rules (and a person exercising such a power may amend, add to or remove provision in capacity market rules made by another person).
 - (3) But subsection (2) is subject to provision made by electricity capacity regulations.’.
-

Nuclear regulations: civil liability

Secretary Edward Davey

NC13

To move the following Clause:—

- ‘(1) Nuclear regulations may provide for breach of a relevant nuclear duty to be actionable (whether or not they also provide for it to be an offence).
 - (2) Except so far as nuclear regulations provide, any such breach does not give rise to a claim for breach of statutory duty.
 - (3) Nuclear regulations may provide for—
 - (a) defences in relation to any action for breach of a relevant nuclear duty;
 - (b) any term of an agreement which purports to exclude or restrict liability for breach of a relevant nuclear duty to be void.
 - (4) For this purpose “relevant nuclear duty” means a duty imposed by—
 - (a) nuclear regulations, or
 - (b) any provision of, or made under, the Nuclear Installations Act 1965 that is a relevant statutory provision.
 - (5) Nothing in this section affects any right of action or defence which otherwise exists or may be available.’.
-

Energy Bill, continued*Civil liability: saving for section 12 of the Nuclear Installations Act 1965*

Secretary Edward Davey

NC14

To move the following Clause:—

‘Nothing in this Part affects the operation of section 12 of the Nuclear Installations Act 1965 (right to compensation by virtue of certain provisions of that Act).’

Expert panel

Martin Horwood
Joan Walley
Caroline Lucas
Mr Mike Weir
Andrew Stunell

NC5

To move the following Clause:—

‘Schedule [*The Expert Panel*] has effect.’

Electricity cost for consumers

Mr Christopher Chope
Mr Edward Leigh

NC15

To move the following Clause:—

‘No duty imposed upon the Secretary by this Act shall apply if the consequence of the exercise of that duty is to raise the cost of electricity for consumers.’

Martin Horwood
Joan Walley
Caroline Lucas
Mr Mike Weir
Andrew Stunell

NS1

To move the following Schedule:—

The Expert Panel

- 1 Regulations shall establish a panel of experts (in this Act referred to as “the Expert Panel”) in accordance with paragraphs (2) to (6) below.

Energy Bill, *continued*

Duty to consult

- 2 (1) Regulations made by virtue of paragraph 1 shall provide that before—
 - (a) any contracts for differences are entered into under Part 1; or
 - (b) any investment contracts are entered into under Schedule 3the Secretary of State shall seek advice from, and the opinion of, the Expert Panel in relation to the matters specified in sub-paragraph (2) below.
- (2) The matters in relation to which advice and opinion is to be sought from the Expert Panel are—
 - (a) any advice provided to the Secretary of State by the national system operator;
 - (b) the financial and other terms on which it is proposed a contract for difference or an investment contract be entered into;
 - (c) whether the agreed strike price (or equivalent) and the term of the contract represents value for money for consumers; and
 - (d) whether, in all the circumstances, it is appropriate for the CFD Counterparty to enter into the relevant contract.
- (3) Where the Secretary of State proposes to disregard in whole or in part any of the advice or opinion provided by the Expert Panel, he shall be under a duty to ensure the Expert Panel is provided with his reasons for disregarding or disagreeing with the advice or opinion and place a copy of the reasoning in the Library of the House.
- 3 Regulations made by virtue of paragraph 1 shall also—
 - (1) provide that it shall be the duty of the Secretary of State and the national system operator to provide the Expert Panel with all such information as it may require;
 - (2) require the Expert Panel to provide the Authority and Parliament with details of any advice and opinion provided under this Part;
 - (3) require the Expert Panel to publish minutes of its meetings; and
 - (4) permit the Expert Panel to publish such information as the Expert Panel thinks fit about the advice it gives.

Membership etc. of the Expert Panel

- 4 The members of the Expert Panel shall be appointed by the Secretary of State and shall comprise a Chairman, a consumer representative, a representative of the Committee on Climate Change, a representative of the Authority and such other members as the Secretary of State may decide.
- 5 (1) In appointing persons to be members of the Expert Panel, the Secretary of State must secure, so far as practicable, that the Expert Panel—
 - (a) is independent; and
 - (b) is comprised of technical, academic, economic, legal and such other experts necessary to give the informed advice required.
- (2) The Expert Panel must not include any person who is—
 - (a) employed by an eligible generator, or who has been employed by an eligible generator in the previous 12 months;
 - (b) employed by an electricity supplier, or who has been employed by an electricity supplier in the previous 12 months; or
 - (c) employed by the national system operator.
- (3) The Chairman and every member of the Expert Panel—
 - (a) shall be appointed for a fixed period, specified in the terms of their appointment, but shall be eligible for reappointment at the end of that period;

Energy Bill, continued

- (b) shall not serve on the Expert Panel for longer than eight years in total;
- (c) may at any time be removed by a notice from the Expert Panel to the Secretary of State following a majority vote.

Committees and other procedures of the Expert Panel

- 6 The Expert Panel may make such arrangements as they think fit—
- (a) for committees established by the Expert Panel to give advice to it about carrying out the Expert Panel's functions, providing such committees only include persons who are members of the Expert Panel;
 - (b) for regulating its own procedure and for regulating the procedure of committees established by them, including timescales of giving advice, as it sees fit;
 - (c) as to quorums and the making of decisions by majority.'
-

Chris Heaton-Harris

162

Clause 5, page 4, line 42, at end add 'with predominating weight given to (2)(c) the cost to consumers.'

Secretary Edward Davey

52

- Clause 5, page 5, line 10, at end insert—
- '(4) The Secretary of State must before 31st December in each year, beginning with 2014, prepare and lay before Parliament a report setting out how the Secretary of State has carried out during the year the functions under this Part of this Act.
 - (5) The Secretary of State must publish the report and send a copy of it to the Department of Enterprise, Trade and Investment, the Scottish Ministers and the Welsh Ministers.'
-

Chris Heaton-Harris

163

- Clause 6, page 5, line 21, at end insert—
- '(c) which is a public document and will be made available, together with all related documents, by the Secretary of State and the parties to the contract.'

Caroline Lucas
Martin Caton
Martin Horwood

23

Clause 6, page 5, line 28, at end insert ' , with the exception of electricity generated from nuclear power stations'.

Energy Bill, *continued*

Sir Nick Harvey
Caroline Lucas
Kelvin Hopkins
Mr John Leech
Martin Caton
Stephen McPartland

Mr Andrew Smith

Sheila Gilmore

32

Clause 6, page 5, line 29, at end insert—

‘ “Biomass” means fuel used in a generating station where—

- ‘(a) at least 90 per cent of its energy content is derived from relevant material (that is to say, material which is, or is derived directly or indirectly from, plant matter, animal matter, funghi or algae), and
- (b) if fossil fuel forms part of it—
 - (i) the fossil fuel is present following a process—
 - (aa) to which the relevant material has been subject, and
 - (bb) the undertaking of which has caused the fossil fuel to be present in, on or with that material even though that was not the object of the process; or
 - (ii) it is waste and the fossil fuel forming part of it was not added to it with a view to its being used as a fuel.

“Qualifying combined heat and power generating station” means a combined heat and power generating station which has been accredited under the CHPQA.’

Secretary Edward Davey

53

Clause 7, page 6, line 15, at beginning insert ‘The Secretary of State may exercise the power to designate so that’.

Secretary Edward Davey

54

Clause 7, page 6, line 15, leave out ‘may have’ and insert ‘has’.

Secretary Edward Davey

55

Clause 7, page 6, line 15, at end insert ‘, but only if the Secretary of State considers it necessary for the purpose of ensuring that—

- (a) liabilities under a CFD are met,
- (b) arrangements entered into for purposes connected to a CFD continue to operate, or
- (c) directions given to a CFD counterparty continue to have effect.’.

Secretary Edward Davey

56

Clause 7, page 6, line 20, leave out ‘28 days’ and insert ‘3 months’.

Energy Bill, *continued*

Secretary Edward Davey

57

Clause 7, page 6, line 29, leave out ‘obligations’ and insert ‘liabilities’.

Secretary Edward Davey

58

Clause 8, page 6, line 39, at end insert—

‘(1A) A CFD counterparty must exercise the functions conferred by or by virtue of this Chapter to ensure that it can meet its liabilities under any CFD to which it is a party.’.

Secretary Edward Davey

59

Clause 9, page 7, line 13, at end insert—

‘(2A) In subsection (2)(a) “costs” means costs in connection with the performance of any function conferred by or by virtue of this Chapter.’.

Secretary Edward Davey

60

Clause 9, page 7, line 39, at end insert—

‘(7A) A CFD counterparty may recover from an electricity supplier, as a civil debt due to it, any sum which—

- (a) the electricity supplier is required by virtue of regulations to pay to the CFD counterparty, and
- (b) has not been paid by the date on which it is required by virtue of regulations to be paid.’.

Sir Nick Harvey
 Caroline Lucas
 Kelvin Hopkins
 Mr John Leech
 Martin Caton
 Stephen McPartland

Mr Andrew Smith

Sheila Gilmore

33

Clause 10, page 8, line 28, at end insert—

‘(10) A direction may not be given under this section to a fossil fuel or renewable energy plant with a rated capacity of 15MW or greater that use any biomass unless they are—

- (a) a qualifying combined heat and power generating station; or

Energy Bill, *continued*

- (b) an operational carbon capture and storage plant.’.

Secretary Edward Davey

61

Clause 11, page 8, line 31, at end insert—

‘(1A) Provision made by virtue of this section may—

- (a) include provision for a CFD counterparty to calculate or determine, in accordance with such criteria as may be provided for by or under the regulations, amounts which are owed by the CFD counterparty;
- (b) provide for anything which is to be calculated or determined under the regulations to be calculated or determined by such persons, in accordance with such procedure and by reference to such matters and to the opinion of such persons, as may be specified in the regulations.’.

Caroline Lucas
Andrew George
Mark Durkan
Mr John Leech
Martin Caton
Mr Andrew Smith

Ms Margaret Ritchie

Martin Horwood

24

Clause 11, page 8, line 37, at end insert—

- ‘(3) Payments offered under a contract for difference relating to the supply of electricity generated by nuclear power must not exceed payments offered under any contract for the supply of electricity from renewable sources.
- (4) For the purposes of subsection (3)—
 - (a) the calculation of payments must include both the strike price and the duration of the contract;
 - (b) renewable sources are defined in accordance with Article 2 of Directive 2009/28/EC of the European Parliament and of the Council of 23 April 2009 on the promotion of the use of energy from renewable sources.’.

Secretary Edward Davey

62

Clause 12, page 9, line 2, leave out ‘obligations’ and insert ‘its liabilities’.

Secretary Edward Davey

63

Clause 12, page 9, line 4, leave out ‘obligations’ and insert ‘its liabilities’.

Secretary Edward Davey

64

Clause 12, page 9, line 4, at end insert—

Energy Bill, *continued*

- ‘(2A) In making provision by virtue of subsection (1) the Secretary of State must have regard to the principle that sums should be apportioned in proportion to the amounts which are owed.’.
-

Secretary Edward Davey

65

Clause 15, page 10, line 21, at end insert—

- ‘(3) Regulations must include such provision as the Secretary of State considers necessary to ensure that a CFD counterparty can meet its liabilities under any CFD to which it is a party.’.
-

Peter Aldous

152

Clause 17, page 11, line 6, at end insert—

- ‘(2A) In determining for the purposes of an order under subsection (1) whether the maximum cost provided for by the order has been reached, or a cost greater than that maximum would be incurred, a cost is to be taken into account if, and only if, it has been incurred, or is to be incurred, in connection with low carbon electricity generation.
- (2B) The Secretary of State may give a direction suspending the effect of an order under subsection (1) for such period, and in relation to costs of such description, as are specified in the direction.
- (2C) Before giving a direction under subsection (2B) the Secretary of State must consult such persons as the Secretary of State thinks appropriate.’.
-

Chris Heaton-Harris

164

Clause 18, page 11, line 33, at end insert—

- ‘(i) All consumers of electricity upon whom the costs of the regulations will fall.’.

Caroline Lucas
Andrew George
Mark Durkan
Mr John Leech
Martin Caton
Ms Margaret Ritchie

Martin Horwood

27

Clause 18, page 11, line 35, at end insert—

- ‘(3) Before making regulations under this Chapter which relate to nuclear electricity generation, the Secretary of State must ask the National Audit Office to carry out

Energy Bill, *continued*

an examination of and produce a report on whether the terms of the contract for difference offer value for money.

- (4) The Secretary of State may ask the National Audit Office to carry out an examination and produce a report on the terms of a contract relating to non-nuclear generation.
- (5) The National Audit Office report and recommendations must be published one month before a contract is laid before Parliament.’.

Dr Alan Whitehead

48

Clause 21, page 12, line 40, at end insert ‘capacity may be secured by capacity auctions or by the establishment of a strategic reserve or by other means’.

Chris Heaton-Harris

165

Clause 22, page 13, line 15, after ‘agreement’ insert, ‘is a public document to be made available, together with all related documents, by the Secretary of State and the parties to the agreement; and’.

Secretary Edward Davey

101

Clause 22, page 13, line 19, leave out ‘to or’.

Secretary Edward Davey

102

Clause 22, page 13, line 21, leave out ‘to or’.

Caroline Lucas
Martin Horwood

29

Clause 22, page 13, line 21, at end insert—

‘(2A) Electricity capacity regulations may not make provision in respect of fossil fuel plants.

(2B) For the purposes of subsection (2A) “fossil fuel plant” means an electricity generating station which satisfies the conditions in Chapter 8, Section 42(4)(b).’.

Caroline Lucas
Martin Caton
Mr Andrew Smith
Martin Horwood

28

Clause 22, page 13, line 23, at end insert—

‘(3A) Capacity agreements may not be made in respect of nuclear electricity generation.’.

Energy Bill, *continued*

Dr Alan Whitehead

49

Clause 22, page 14, line 6, at end insert—

- ‘(e) conferring on the Secretary of State the power by regulation to introduce a system of strategic reserve of supply; and
- (f) conferring on The Secretary of State by regulation the power to designate a nominated person to hold and manage the Strategic Reserve on his behalf (“the Strategic Reserve Operator”).’.

Secretary Edward Davey

103

Clause 22, page 14, line 6, at end insert—

‘(5A) Provision made by virtue of subsection (4)(f) and (g) may—

- (a) include provision for a settlement body to calculate or determine, in accordance with such criteria as may be provided for by or under the regulations, amounts which are owed as capacity payments or capacity incentives;
- (b) provide for anything which is to be calculated or determined under the regulations to be calculated or determined by such persons, in accordance with such procedure and by reference to such matters and to the opinion of such persons, as may be specified in the regulations.’.

Dr Alan Whitehead

50

Clause 22, page 14, line 9, at end add—

- ‘(7) (a) A person is eligible to be designated as the Strategic Reserve Operator if the person is—
 - (i) a company formal and registered under the Companies Act 2006; or
 - (ii) a public authority, including any person whose functions are of a public nature.
 - (b) The Strategic Reserve Operator must contract with the System Operator for the circumstances under which the Strategic Reserve Operator supplies power to the System Operator.
 - (c) The Secretary of State must approve the drawing up of any contract between the System Operator and the Strategic Reserve Operator and may from time to time vary the terms of the contract should circumstances require.
 - (d) The Secretary of State must lay before Parliament a reasoned case for any change of content under subsection (5).
 - (e) Strategic Reserve regulations may make provision for payments to be made by electricity suppliers or capacity providers to a settlement body for the purposes of enabling the body—
 - (i) to meet such descriptions of its costs that the Secretary of State considers appropriate;
 - (ii) to hold sums in reserve;
 - (iii) to make payments to the Strategic Reserve Operator for the purpose of securing and operating Strategic Reserve capacity.’.
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Energy Bill, *continued*

Secretary Edward Davey

104

Clause 24, page 15, line 2, at end insert—

‘(1A) In subsection (1)(a) “costs” means costs in connection with the performance of any function conferred by or by virtue of this Chapter.’.

Chris Heaton-Harris

166

Clause 27, page 15, line 40, leave out ‘may’ and insert ‘must’.

Secretary Edward Davey

105

Clause 28, page 16, line 19, at end insert ‘or by capacity market rules.

(1A) Capacity market rules may make provision about the enforcement of any obligation or requirement imposed by the rules.’.

Secretary Edward Davey

106

Clause 28, page 16, line 20, after ‘regulations’ insert ‘or in capacity market rules’.

Secretary Edward Davey

107

Clause 28, page 16, line 25, after ‘regulations’ insert ‘or under capacity market rules’.

Mark Reckless
David T.C. Davies
Mr John Redwood
Mr David Nuttall
Mr Christopher Chope
Mr Edward Leigh

94

Page 23, line 5, leave out Clause 38.

Mr Christopher Chope
Mr Edward Leigh

151

Clause 38, page 23, line 34, at end add—

‘(5) The Secretary of State may not exercise the power under subsection (1) if the consequence would be to raise the price of electricity for consumers.’.

Energy Bill, *continued*

Peter Aldous	153
Clause 41, page 25, leave out lines 35 to 42.	
Peter Aldous	154
Clause 41, page 27, leave out lines 9 and 10.	
Peter Aldous	156
Clause 41, page 27, line 14, before 'make', insert 'and insofar as subsection (12) applies must,'.	
Peter Aldous	155
Clause 41, page 28, line 17, leave out 'may' and insert 'must, so as to make good the shortfall,'.	
Peter Aldous	158
Clause 41, page 29, line 7, leave out '(10)' and insert '(9)'.	
Peter Aldous	157
Clause 41, page 29, line 8, leave out subsection (6).	
Peter Aldous	159
Clause 41, page 34, leave out from line 8 to end of line 37 on page 35.	
Peter Aldous	160
Clause 41, page 36, leave out from line 1 to end of line 46.	
Chris Heaton-Harris	167
Clause 41, page 36, line 5, leave out 'the costs' and insert 'the publicly substantiated costs'.	
Chris Heaton-Harris	168
Clause 41, page 36, line 8, leave out 'the income' and insert 'the publicly substantiated income'.	
Chris Heaton-Harris	169
Clause 41, page 36, line 24, at end insert— '(g) the costs to consumers'.	
Peter Aldous	161
Clause 41, page 37, leave out lines 18 and 19.	

Energy Bill, *continued*

Chris Heaton-Harris

170

Clause 41, page 38, line 10, leave out ‘A certificate purchase order may provide for’ and insert ‘A certificate purchase order will require at least the same level of information as required under the Renewables Obligation and may provide for’.

Chris Heaton-Harris

171

Clause 41, page 38, line 37, leave out ‘may’ and insert ‘must’.

Chris Heaton-Harris

172

Clause 41, page 38, line 38, leave out ‘subsection (3)’ and insert ‘Section 32X’.

Mark Reckless
David T.C. Davies
Mr John Redwood
Mr David Nuttall
Mr Christopher Chope
Mr Edward Leigh

Karl McCartney

Mr James Clappison

Mr Douglas Carswell

95

Page 42, line 27, leave out Clause 42.

Chris Heaton-Harris

173

Clause 42, page 42, line 28, at beginning insert ‘Unless the Secretary of State or the Regulator permits otherwise in the consumer interest,’.

Chris Heaton-Harris

174

Clause 42, page 42, line 31, leave out ‘7.446’ and insert ‘8.760’.

Caroline Flint
Tom Greatrex
Lucian Berger

179

Clause 42, page 42, line 35, at end insert—

‘() Section 42(1) is not to apply in relation to CCS plant until completion of the commissioning and proving period that shall last no longer than 3 years.’.

Energy Bill, *continued*

Barry Gardiner

150

Clause 42, page 42, line 36, leave out '2044' and insert '2029'.

Mark Reckless
David T.C. Davies
Mr John Redwood
Mr David Nuttall
Mr Christopher Chope
Mr Edward Leigh

Karl McCartney

Mr James Clappison

Mr Douglas Carswell

96

Page 43, line 41, leave out Clause 43.

Chris Heaton-Harris

175

Clause 43, page 43, line 43, at end insert 'or significant risk of other disadvantage to the consumer.'

Mark Reckless
David T.C. Davies
Mr John Redwood
Mr David Nuttall
Mr Christopher Chope
Mr Edward Leigh

Karl McCartney

Mr James Clappison

Mr Douglas Carswell

97

Page 45, line 14, leave out Clause 44.

Mark Reckless
David T.C. Davies
Mr John Redwood
Mr David Nuttall
Mr Christopher Chope
Mr Edward Leigh

Karl McCartney

Mr James Clappison

Mr Douglas Carswell

98

Page 45, line 32, leave out Clause 45.

Energy Bill, *continued*

Mark Reckless
David T.C. Davies
Mr John Redwood
Mr David Nuttall
Mr Christopher Chope
Mr Edward Leigh

Karl McCartney

Mr James Clappison

Mr Douglas Carswell

99

Page 46, line 36, leave out Clause 46.

Chris Heaton-Harris

176

Clause 50, page 50, line 16, leave out ‘As soon as is reasonably practical’ and insert ‘Within one month’.

Chris Heaton-Harris

177

Clause 50, page 50, line 16, leave out ‘five years’ and insert ‘one year’.

Secretary Edward Davey

66

Clause 50, page 50, line 23, at end insert—
‘() Chapter 8 (emissions performance standard).’

Chris Heaton-Harris

178

Clause 50, page 50, line 31, at end insert—
‘(d) assess and detail the impact on electricity prices to the various classes of consumers of the measures described in the Act.’

Secretary Edward Davey

108

Clause 59, page 56, line 33, after ‘with’ insert ‘, in England and Wales, a fine or, in Scotland or Northern Ireland,’.

Secretary Edward Davey

109

Clause 59, page 57, line 4, after ‘with’ insert ‘—
(i) in England and Wales, a fine (or a fine not exceeding an amount specified, which must not exceed level 4 on the standard scale),
or
(ii) in Scotland or Northern Ireland,’.

Energy Bill, *continued*

Secretary Edward Davey

110

Page 57, line 16, leave out Clause 60.

Secretary Edward Davey

111

Clause 68, page 61, line 29, leave out 'a fine not exceeding' and insert '—

- (a) in England and Wales, a fine (or a fine not exceeding an amount specified, which must not exceed level 4 on the standard scale), or
 - (b) in Scotland or Northern Ireland, a fine not exceeding the amount specified, which must not exceed'.
-

Secretary Edward Davey

112

Clause 80, page 67, line 40, after 'to' insert '—

- (i) in England and Wales, a fine, or
 - (ii) in Scotland or Northern Ireland,'.
-

Secretary Edward Davey

113

Clause 82, page 68, line 27, after 'to' insert '—

- (i) in England and Wales, a fine, or
 - (ii) in Scotland or Northern Ireland,'.
-

Secretary Edward Davey

114

Clause 85, page 70, line 15, leave out 'not exceeding the statutory maximum' and insert '(in England and Wales) or a fine not exceeding the statutory maximum (in Scotland or Northern Ireland)'.

Energy Bill, *continued*

Secretary Edward Davey

115

Clause **86**, page **71**, line **4**, leave out ‘not exceeding £20,000’ and insert ‘(in England and Wales) or a fine not exceeding £20,000 (in Scotland or Northern Ireland)’.

Secretary Edward Davey

116

Clause **87**, page **71**, line **20**, after ‘to’ insert ‘—
(i) in England and Wales, a fine, or
(ii) in Scotland or Northern Ireland’.

Secretary Edward Davey

117

Clause **88**, page **72**, line **17**, leave out ‘not exceeding £20,000,’ and insert ‘(in England and Wales) or a fine not exceeding £20,000 (in Scotland or Northern Ireland)’.

Secretary Edward Davey

118

Clause **98**, page **78**, line **29**, at end insert—
 ‘(3) The power in subsection (2) includes power to make modifications of—
 (a) paragraphs 16 to 25B of Schedule 12 (amendments of the Nuclear Installations Act 1965), or
 (b) the provisions of the Nuclear Installations Act 1965 that are amended by those paragraphs.
 (4) The power conferred by virtue of subsection (3) is exercisable—
 (a) before or after the date on which those paragraphs come into force, and
 (b) only for the purpose of making provision corresponding to any amendments of the Nuclear Installations Act 1965 set out in an order made before that date (whether before or after this Act is passed) under section 76 of the Energy Act 2004 (amendments for giving effect to international obligations).’.

Secretary Edward Davey

67

Clause **120**, page **91**, line **14**, at end insert—
 ‘(4) In the 1986 Act—
 (a) in section 4AA(7), for “sections 4AB and 4A” substitute “section 4A”;
 (b) in section 7B(4), in paragraph (a) omit “, 4AB”;
 (c) in section 23D(2)—

Energy Bill, *continued*

- (i) at the end of paragraph (b) omit “and”,
 - (ii) in paragraph (c) for “sections 4AB and” substitute “section”, and
 - (iii) at the end of paragraph (c) insert “; and
 - (d) in the performance of its duties under section 114(1) and (2) of the Energy Act 2013.”;
 - (d) in section 28(5), in paragraph (a) omit “, 4AB”;
 - (e) in section 38(1A), omit “, 4AB”;
 - (f) in section 41E(6)—
 - (i) omit paragraph (b), and
 - (ii) at the end of paragraph (c) insert “; and
 - (d) any statement for the time being designated as the strategy and policy statement for the purposes of Part 5 of the Energy Act 2013.”
- (5) In EA 1989—
- (a) in section 3A(7), for “sections 3B and 3C” substitute “section 3C”;
 - (b) in section 11E(2)—
 - (i) at the end of paragraph (b) omit “and”,
 - (ii) in paragraph (c) for “sections 3B and 3C” substitute “section 3C”, and
 - (iii) at the end of paragraph (c) insert “; and
 - (d) in the performance of its duties under section 114(1) and (2) of the Energy Act 2013.”;
 - (c) in section 28(2A), omit “, 3B”;
 - (d) in section 56C(6)—
 - (i) omit paragraph (b), and
 - (ii) at the end of paragraph (c) insert “; and
 - (d) any statement for the time being designated as the strategy and policy statement for the purposes of Part 5 of the Energy Act 2013.”.

Secretary Edward Davey

119

Clause **121**, page **91**, line **30**, leave out from beginning to end of line 35 and insert—

‘by making provision of any of the kinds specified in subsection (3).

- (3) The kinds of provision mentioned in subsection (1) are—’

Secretary Edward Davey

120

Clause **121**, page **91**, line **36**, after ‘(a)’ insert ‘provision’.

Secretary Edward Davey

121

Clause **121**, page **91**, line **38**, leave out ‘for specifying a limit on’ and insert ‘provision for restricting’.

Energy Bill, *continued*

Secretary Edward Davey

122

Clause 121, page 92, line 1, leave out ‘about discretionary terms (and’ and insert ‘provision about discretionary terms (which’.

Secretary Edward Davey

123

Clause 121, page 92, line 4, after ‘(d)’ insert ‘provision’.

Secretary Edward Davey

124

Clause 121, page 92, line 5, leave out ‘including’ and insert ‘which may include’.

Secretary Edward Davey

125

Clause 121, page 92, line 11, leave out paragraph (e) and insert—

- ‘(e) provision for requiring a licence holder to change the domestic tariff on which it supplies gas or electricity to a domestic customer who is on a closed tariff by—
 - (i) switching to a different domestic tariff for the time being offered by the licence holder, unless the customer objects, or
 - (ii) offering the customer, or inviting the customer to switch to, a different domestic tariff for the time being offered by the licence holder.’.

Mr Mike Weir
Hywel Williams
Pete Wishart
Jonathan Edwards
Angus Robertson
Dr Eilidh Whiteford

Mr Angus Brendan MacNeil Stewart Hosie Caroline Lucas

21

Clause 121, page 92, line 15, leave out from ‘objects’ to end of line 17.

Mr Mike Weir
Hywel Williams
Pete Wishart
Jonathan Edwards
Angus Robertson
Dr Eilidh Whiteford

Mr Angus Brendan MacNeil Stewart Hosie Caroline Lucas
Mark Durkan

22

Clause 121, page 92, line 17, at end insert—

- ‘(f) requiring a licence holder to ensure that—
 - (i) customers on prepayment meters shall be charged the lowest tariff available from that licence holder;
 - (ii) no more than 20 per cent. of each payment made goes towards meeting outstanding debt.’.

Energy Bill, *continued*

Secretary Edward Davey

126

Clause 121, page 92, line 17, at end insert—

- ‘() Any limit imposed by virtue of subsection (3)(b) on the number of tariffs, or tariffs of any category, that a licence holder may adopt must be greater than the number of standard domestic tariffs, or (as the case may be) standard domestic tariffs of that category, that the licence holder is required to adopt.’

Secretary Edward Davey

127

Clause 121, page 92, line 38, at end insert—

- ‘() may make provision for determining when a licence holder is, or is not, to be regarded as offering to supply gas or electricity on a particular tariff (or as offering other terms in connection with domestic supply contracts) for the purpose of a relevant provision;
- () may make provision for supplies (or proposed supplies) of gas or electricity to be regarded as being on the same tariff or different tariffs for the purpose of a relevant provision;’

Secretary Edward Davey

128

Clause 121, page 93, line 17, at end insert—

“closed tariff” means a domestic tariff on which a licence holder—

- (a) supplies gas or electricity to customers under existing domestic supply contracts, but
- (b) no longer offers to supply gas or electricity to customers who are not already on the tariff;’

Secretary Edward Davey

129

Clause 121, page 93, line 25, leave out from ‘tariff’ to end of line 26 and insert ‘means the set of principal terms of a domestic supply contract (or proposed domestic supply contract);’.

Secretary Edward Davey

130

Clause 121, page 93, line 41, leave out from ‘period’ to end of line 42 and insert ‘to be determined by the licence holder, but

- (b) may not include any term setting the amount of a charge or rate or otherwise specifying how it is to be determined.’

Secretary Edward Davey

131

Clause 121, page 93, line 45, leave out ‘and’ and insert—

- ‘() a domestic customer is on a particular domestic tariff if gas or electricity is supplied to the customer on that tariff, and’.

Secretary Edward Davey

132

Clause 121, page 93, line 47, at end insert ‘(and references to adopting a tariff include references to doing either or both of them).’.

Energy Bill, *continued*

Secretary Edward Davey

133

Clause **121**, page **94**, line **1**, leave out from second ‘of’ to end of line 3 and insert ‘domestic supply contracts which are the principal terms of such contracts.’.

Secretary Edward Davey

68

Clause **133**, page **102**, line **25**, after ‘3’ insert ‘of Part 2’.

Secretary Edward Davey

134

Clause **133**, page **102**, line **26**, leave out ‘a person who is’.

Secretary Edward Davey

136

Clause **134**, page **103**, line **19**, leave out from ‘(a)’ to ‘to’ in line 20 and insert ‘paragraph 22 (amendment of section 24A of the Nuclear Installations Act 1965 as it has effect in England and Wales and Scotland) extends’.

Secretary Edward Davey

69

Clause **135**, page **103**, line **41**, leave out ‘120(1) (repeals)’ and insert ‘120(1), (4) and (5)’.

Caroline Lucas
Andrew George
Mark Durkan
Martin Caton
Ms Margaret Ritchie
Martin Horwood

26

Schedule **2**, page **106**, line **40**, at end insert—

- ‘(2A) Before entering into an investment contract, the Secretary of State must ask the National Audit Office to carry out an examination of and produce a report on whether the terms of the contract offer value for money.
- (2B) The National Audit Office report and recommendations must be published one month before a contract is laid before Parliament.’.

Energy Bill, continued

Secretary Edward Davey

71

Schedule 2, page 107, line 25, leave out from ‘paragraph 3)’ to the end of line 29.

Caroline Lucas
Andrew George
Mark Durkan
Martin Caton
Ms Margaret Ritchie
Martin Horwood

25

Schedule 2, page 107, line 43, at end insert—

‘(6A) An investment contract may not include provision to underwrite or provide state guarantees for all or part of the construction costs of nuclear generation plants.’.

Secretary Edward Davey

72

Schedule 2, page 108, line 15, leave out from ‘paragraph 3)’ to the end of line 19.

Caroline Flint
Tom Greatrex
Luciana Berger

9

Schedule 2, page 108, line 24, at end insert—

‘() For the purposes of paragraphs 1 and 2, information is “confidential information” only if it constitutes a trade secret.’.

Caroline Flint
Tom Greatrex
Luciana Berger

8

Schedule 2, page 108, line 26, leave out paragraph 3.

Secretary Edward Davey

73

Schedule 2, page 109, line 24, leave out ‘may be designated’ and insert ‘is eligible’.

Secretary Edward Davey

74

Schedule 2, page 109, line 29, at beginning insert ‘The Secretary of State may exercise the power to designate so that’.

Secretary Edward Davey

75

Schedule 2, page 109, line 29, leave out ‘may have’ and insert ‘has’.

Secretary Edward Davey

76

Schedule 2, page 109, line 29, at end insert ‘, but only if the Secretary of State considers it necessary for the purpose of ensuring that—

(a) liabilities under an investment contract are met,

Energy Bill, *continued*

- (b) arrangements entered into for purposes connected to an investment contract continue to operate, or
- (c) directions given to an investment contract counterparty continue to have effect.’.

Secretary Edward Davey

77

Schedule 2, page 109, line 34, leave out ‘28 days’ and insert ‘3 months’.

Secretary Edward Davey

78

Schedule 2, page 109, line 37, leave out ‘obligations’ and insert ‘liabilities’.

Secretary Edward Davey

79

Schedule 2, page 110, line 38, at end insert—

‘(3A) In sub-paragraph (3)(a) “costs” means costs in connection with the performance of any function conferred by or by virtue of this Schedule.’.

Secretary Edward Davey

80

Schedule 2, page 111, line 27, at end insert—

‘(9) The Secretary of State, an investment contract counterparty or a CFD counterparty may recover from an electricity supplier, as a civil debt due, any sum which—

- (a) the electricity supplier is required by virtue of regulations to pay to the Secretary of State, the investment contract counterparty or the CFD counterparty (as the case may be), and
- (b) has not been paid by the date on which it is required by virtue of regulations to be paid.’.

Secretary Edward Davey

81

Schedule 2, page 111, line 31, at end insert—

‘(2) Provision made by virtue of this paragraph may—

- (a) include provision for the person by whom sums are owed to calculate or determine, in accordance with such criteria as may be provided for by or under the regulations, amounts which are owed;
- (b) provide for anything which is to be calculated or determined under the regulations to be calculated or determined by such persons, in accordance with such procedure and by reference to such matters and to the opinion of such persons, as may be specified in the regulations.’.

Secretary Edward Davey

82

Schedule 2, page 111, line 43, leave out ‘obligations’ and insert ‘liabilities’.

Secretary Edward Davey

83

Schedule 2, page 112, line 2, leave out ‘obligations’ and insert ‘liabilities’.

Energy Bill, *continued*

Secretary Edward Davey

84

Schedule 2, page 112, line 3, at end insert—

- ‘(2A) In making provision by virtue of sub-paragraph (1) the Secretary of State must have regard to the principle that sums should be apportioned in proportion to the amounts which are owed.’.

Secretary Edward Davey

85

Schedule 2, page 114, line 11, at end insert—

- ‘(1A) An investment contract counterparty and a CFD counterparty must exercise the functions conferred by or by virtue of this Schedule to ensure that it can meet its liabilities under any investment contract to which it is a party.’.

Secretary Edward Davey

86

Schedule 2, page 114, line 30, at end insert—

- ‘(4) Regulations must include such provision as the Secretary of State considers necessary to ensure that an investment contract counterparty or a CFD counterparty can meet its liabilities under any investment contract to which it is a party.’.

Secretary Edward Davey

87

Schedule 2, page 115, line 5, after ‘property,’ insert ‘or designated’.

Secretary Edward Davey

88

Schedule 2, page 115, line 16, leave out ‘, to any extent considered appropriate by the Secretary of State,’.

Secretary Edward Davey

89

Schedule 2, page 115, line 17, after ‘treated’ insert ‘to any extent’.

Secretary Edward Davey

90

Schedule 2, page 115, line 18, at end insert—

- ‘(2A) Sub-paragraph (2B) applies from the beginning of the first day on which all of the following three conditions are met, namely—
- (a) a definition of an “eligible generator” is in force by virtue of section 10(3) or the date is 1st January 2016 or later;
 - (b) a designation under section 7(1) has effect;
 - (c) provision required by section 9(1) to be made is in force.
- (2B) The Secretary of State must in respect of each investment contract, within such period of time as the Secretary of State considers reasonable—
- (a) make a transfer scheme by virtue of sub-paragraph (1)(a) or (c) to ensure the transfer of all rights and liabilities under the investment contract, and
 - (b) make provision under sub-paragraph (2) for the investment contract to be treated as a CFD for the purposes of all provision made by or by virtue of Chapter 2 of Part 2 of this Act.

Energy Bill, *continued*

(2C) But sub-paragraph (2B) does not apply to the extent that the Secretary of State considers it appropriate in all the circumstances of the case to disapply it.’

Barry Gardiner

148

Schedule 4, page 119, line 13, at end insert—

‘(iii) substantial pollution abatement equipment dealing with oxides of sulphur, oxides of nitrogen, heavy metal emissions or particles is fitted to the generating station.’

Barry Gardiner

149

Schedule 4, page 119, line 39, leave out ‘42(5)(b)’ and insert ‘42(6)(b)’.

Secretary Edward Davey

137

Schedule 8, page 139, line 5, leave out ‘not exceeding £20,000,’ and insert ‘(in England and Wales) or a fine not exceeding £20,000 (in Scotland or Northern Ireland),’.

Secretary Edward Davey

138

Schedule 8, page 143, line 34, leave out ‘not exceeding £20,000,’ and insert ‘(in England and Wales) or a fine not exceeding £20,000 (in Scotland or Northern Ireland),’.

Secretary Edward Davey

139

Schedule 8, page 144, line 5, after ‘to’ insert ‘—

- (i) in England and Wales, a fine, or
- (ii) in Scotland or Northern Ireland’.

Secretary Edward Davey

140

Schedule 8, page 144, line 13, after ‘to’ insert ‘—

- (a) in England and Wales, a fine, or
 - (b) in Scotland or Northern Ireland,’.
-

Secretary Edward Davey

141

Schedule 9, page 147, line 29, leave out ‘not exceeding the statutory maximum’ and insert ‘(in England and Wales) or a fine not exceeding the statutory maximum (in Scotland or Northern Ireland)’.

Energy Bill, *continued*

Secretary Edward Davey

91

Schedule 9, page 149, line 9, at end insert—
 ‘() the Natural Resources Body for Wales;’.

Secretary Edward Davey

142

Schedule 10, page 157, line 42, leave out ‘not exceeding £20,000,’ and insert ‘(in England and Wales) or a fine not exceeding £20,000 (in Scotland or Northern Ireland),’.

Secretary Edward Davey

143

Schedule 12, page 168, line 17, leave out from beginning to end of line 12 on page 171 and insert—
 ‘16 For section 1 substitute—

“1 Restriction of certain nuclear installations to licensed sites

- (1) No person may use a site for the purpose of installing or operating—
 - (a) any nuclear reactor (other than a nuclear reactor comprised in a means of transport, whether by land, water or air), or
 - (b) any other installation of a prescribed kind,
 unless a licence to do so has been granted in respect of the site by the appropriate national authority and is in force.
- (2) Such a licence is referred to in this Act as a “nuclear site licence”.
- (3) The only kinds of installation that may be prescribed under subsection (1)(b) are installations (other than nuclear reactors) designed or adapted for—
 - (a) producing or using atomic energy,
 - (b) any process which—
 - (i) is preparatory or ancillary to producing or using atomic energy, and
 - (ii) involves, or is capable of causing, the emission of ionising radiations, or
 - (c) storing, processing or disposing of—
 - (i) nuclear fuel, or
 - (ii) bulk quantities of other radioactive matter which has been produced or irradiated in the course of the production or use of nuclear fuel.
- (4) Regulations under subsection (1)(b) may make provision for exempting an installation from subsection (1).
- (5) Regulations made by virtue of subsection (4)—
 - (a) may provide for any exemption to be conditional;

Energy Bill, *continued*

- (b) may not result in an installation being exempt from subsection (1) unless the Secretary of State is satisfied that it is not a relevant installation (or, in the case of a conditional exemption, would not be a relevant installation if the prescribed conditions were satisfied).
 - (6) Before exercising any function under subsection (1)(b), (4) or (5) in or as regards Scotland, the Secretary of State must consult the Scottish Ministers.
 - (7) Any person who contravenes subsection (1) is guilty of an offence.
 - (8) A person convicted of an offence under subsection (7) in England and Wales or Scotland is liable—
 - (a) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine, or both;
 - (b) on summary conviction to imprisonment for a term not exceeding 12 months, or a fine (in England and Wales) or a fine not exceeding £20,000 (in Scotland), or both.
 - (9) A person convicted of an offence under subsection (7) in Northern Ireland is liable—
 - (a) on conviction on indictment to imprisonment for a term not exceeding 5 years, or a fine, or both;
 - (b) on summary conviction to imprisonment for a term not exceeding 3 months, or a fine not exceeding the prescribed sum, or both.
 - (10) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to imprison), the reference to 12 months in subsection (8)(b), as it has effect in England and Wales, is to be read as a reference to 6 months.
 - (11) Subsection (1) is subject to section 47 of the Energy Act 2008 (prohibition in England and Wales and Northern Ireland on use of site in absence of approved funded decommissioning programme)."
- 17 For section 3 substitute—

“3 Grant and variation of nuclear site licences

- (1) A nuclear site licence—
 - (a) may be granted only to a body corporate;
 - (b) is not transferable.
- (2) The appropriate national authority must consult the appropriate environment authority before granting a nuclear site licence.
- (3) Two or more installations in the vicinity of one another may, if the appropriate national authority consider appropriate, be treated for the purposes of the grant of a nuclear site licence as being on the same site.
- (4) Subject to subsection (8), where an application is made for a nuclear site licence, the appropriate national authority may direct the applicant to serve a notice on any public authority specified in the direction.
- (5) For this purpose “public authority” includes—
 - (a) in relation to a site in England or Wales, a water undertaker;

Energy Bill, *continued*

- (b) in relation to a site in Scotland, Scottish Water;
 - (c) in relation to a site in Northern Ireland, a water undertaker (within the meaning of the Water and Sewerage Services) (Northern Ireland) Order 2006 (S.I. 2006/3336 (N.I. 21)).
- (6) Such a notice must—
 - (a) state that the application has been made,
 - (b) give such particulars about the proposed use of the site under the licence as may be specified in the direction, and
 - (c) state that the body on whom it is served may make representations about the application to the appropriate national authority within three months of the date of service.
- (7) Where a direction has been given under subsection (4), the appropriate national authority may not grant the licence unless it is satisfied that—
 - (a) three months have passed since the service of the last of the notices required by the direction, and
 - (b) the authority has considered any representations made in accordance with any of those notices.
- (8) Subsection (4) does not apply in relation to an application in respect of a site for a generating station where—
 - (a) a consent under section 36 of the Electricity Act 1989 is required for the operation of the station (or would be required but for an order under the Planning Act 2008 granting development consent for the site), or
 - (b) a consent under Article 39 of the Electricity (Northern Ireland) Order 1992 is required for the operation of the station.
- (9) A nuclear site licence may include provision about when section 19(1) is to start to apply in relation to the licensed site.
- (10) But, if the licence relates to a site in England, Wales or Scotland, such a provision may be included only with the consent of the Secretary of State.
- (11) Where a nuclear site licence includes such a provision, section 19(1) does not apply in relation to the site until—
 - (a) the time determined in accordance with the provision, or
 - (b) if earlier, the time when the site is first used for the operation of a nuclear installation after the grant of the licence.
- (12) The appropriate national authority may from time to time vary a nuclear site licence by excluding from it any part of the licensed site—
 - (a) which the licensee no longer needs for any use requiring such a licence, and
 - (b) with respect to which the appropriate national authority is satisfied that there is no danger from ionising radiations from anything on that part of the site.
- (13) The appropriate national authority must consult the appropriate environment authority before varying a nuclear site licence if the variation relates to or affects the creation, accumulation or disposal of radioactive waste.
- (14) In subsection (13), “radioactive waste”—

Energy Bill, continued

- (a) in relation to a site in England or Wales, has the same meaning as in the Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675);
- (b) in relation to a site in Scotland or Northern Ireland, has the same meaning as in the Radioactive Substances Act 1993.”

18 For section 4 substitute—

“4 Attachment of conditions to licences

- (1) The appropriate national authority—
 - (a) must, when it grants a nuclear site licence, attach to it such conditions as the authority considers necessary or desirable in the interests of safety, and
 - (b) may attach such conditions to it at any other time.
- (2) For the purposes of subsection (1), “safety” in relation to a nuclear site includes—
 - (a) safety in normal circumstances, and
 - (b) safety in the event of any accident or other emergency on the site.
- (3) Conditions that may be attached to a licence by virtue of subsection (1) may in particular include provision—
 - (a) for securing that an efficient system is maintained for detecting and recording the presence and intensity of any ionising radiations from time to time emitted from anything on the site or from anything discharged on or from the site;
 - (b) with respect to the design, siting, construction, installation, operation, modification and maintenance of any plant or other installation on, or to be installed on, the site;
 - (c) with respect to preparations for dealing with, and measures to be taken on the happening of, any accident or other emergency on the site;
 - (d) without prejudice to sections 13 and 16 of the Radioactive Substances Act 1993 or to the Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675), with respect to the discharge of any substance on or from the site.
- (4) The appropriate national authority may at any time attach to a nuclear site licence such conditions as the appropriate national authority may consider appropriate with respect to the handling, treatment and disposal of nuclear matter.
- (5) The appropriate national authority may at any time vary or revoke any condition for the time being attached to a nuclear site licence by virtue of this section.
- (6) The appropriate national authority must consult the appropriate environment authority before—
 - (a) attaching any condition to a nuclear site licence, or
 - (b) varying or revoking any condition attached to a nuclear site licence,
 if the condition relates to or affects the creation, accumulation or disposal of radioactive waste.
- (7) In subsection (6) “radioactive waste”—

Energy Bill, *continued*

- (a) in relation to a site in England or Wales, has the same meaning as in the Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675);
 - (b) in relation to a site in Scotland or Northern Ireland, has the same meaning as in the Radioactive Substances Act 1993.
 - (8) Any power under this section to attach, vary or revoke a condition is exercisable in writing.
 - (9) The appropriate national authority must consider any representation which is—
 - (a) made to it by an organisation representing persons who have duties on a site in respect of which a nuclear site licence is in force, and
 - (b) relates to the exercise by the authority of any of its powers under this section in relation to the site.
 - (10) Where a condition attached to a nuclear site licence by virtue of this section is contravened, each of the following is guilty of an offence—
 - (a) the licensee, and
 - (b) any person having duties upon the site in question who committed the contravention.
 - (11) A person convicted of an offence under subsection (10) in England and Wales or Scotland is liable—
 - (a) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine, or both;
 - (b) on summary conviction to imprisonment for a term not exceeding 12 months, or a fine (in England and Wales) or a fine not exceeding £20,000 (in Scotland), or both.
 - (12) A person convicted of an offence under subsection (10) in Northern Ireland is liable—
 - (a) on conviction on indictment to imprisonment for a term not exceeding 5 years, or a fine, or both;
 - (b) on summary conviction to imprisonment for a term not exceeding 3 months, or a fine not exceeding the prescribed sum, or both.
 - (13) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to imprison) the reference to 12 months in subsection (11)(b), as it has effect in England and Wales, is to be read as a reference to 6 months."
- 19 For section 5 substitute—

“5 Revocation and surrender of licences

- (1) A nuclear site licence may at any time be—
 - (a) revoked by the appropriate national authority, or
 - (b) surrendered by the licensee.
- (2) The appropriate national authority must consult the appropriate environment authority before revoking a nuclear site licence.
- (3) Subsections (4) to (6) apply where a nuclear site licence has been revoked or surrendered.

Energy Bill, *continued*

- (4) If the appropriate national authority requires it to do so, the licensee must deliver up or account for the licence to such person as the appropriate national authority may direct.
- (5) During the remainder of the period of the licensee's responsibility the appropriate national authority may give the licensee such directions as the authority may consider appropriate for preventing, or giving warning of, any risk of—
 - (a) injury to any person, or
 - (b) damage to any property,by ionising radiations from anything remaining on the site.
- (6) A nuclear safety inspector may direct the licensee to ensure that, during the remainder of the period of responsibility, notices indicating the limits of the site are kept posted on the site in the positions specified in the direction.
- (7) For this purpose, “nuclear safety inspector” means an inspector appointed—
 - (a) by the ONR under Schedule 8 to the Energy Act 2013, in the case of a site in England, Wales or Scotland, or
 - (b) under section 24, in the case of a site in Northern Ireland.
- (8) A licensee who contravenes any direction for the time being in force under subsection (5) or (6) is guilty of an offence.
- (9) A person who without reasonable cause pulls down, injures or defaces any notice posted under subsection (6) is guilty of an offence.
- (10) A person convicted of an offence under subsection (8) in England and Wales or Scotland is liable—
 - (a) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine, or both;
 - (b) on summary conviction to imprisonment for a term not exceeding 12 months, or a fine (in England and Wales) or a fine not exceeding £20,000 (in Scotland), or both.
- (11) A person convicted of an offence under subsection (8) in Northern Ireland is liable—
 - (a) on conviction on indictment, to imprisonment for a term not exceeding 12 months, or a fine, or both;
 - (b) on summary conviction, to imprisonment for a term not exceeding 3 months, or a fine not exceeding the prescribed sum, or both.
- (12) A person convicted of an offence under subsection (9) is liable on summary conviction—
 - (a) in England and Wales or Scotland, to a fine not exceeding level 2 on the standard scale;
 - (b) in Northern Ireland, to a fine not exceeding level 1 on the standard scale.
- (13) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates' court's power to imprison), the reference to 12 months in subsection (10)(b), as it has effect in England and Wales, is to be read as a reference to 6 months.

Energy Bill, continued

- (14) In this Act, “period of responsibility” in relation to the licensee under a nuclear site licence means, as respects the site in question or any part of it, the period—
- (a) beginning with the grant of the licence, and
 - (b) ending with whichever of the dates in subsection (15) is the earliest,
- except that it does not include any period during which section 19(1) does not apply in relation to the site.

- (15) Those dates are—
- (a) the date when the appropriate national authority gives notice in writing to the licensee that in the authority’s opinion there has ceased to be any danger from ionising radiations from anything on the site or, as the case may be, on the part of it in question;
 - (b) the date when a new nuclear site licence in respect of a site comprising the site in question or, as the case may be, that part of it, is granted (whether to the same licensee or to some other person);
 - (c) the date when the following conditions have both become satisfied—
 - (i) the site in question or, as the case may be, that part of it is used or occupied by or on behalf of the Crown, and
 - (ii) a nuclear site licence has ceased to be required in respect of that site or part.”

20 For section 6 substitute—

“6 Maintenance of list of licensed sites

- (1) The appropriate authority must maintain a list showing every site in respect of which a nuclear site licence has been granted.
- (2) The list—
 - (a) need not show any site or part of a site in the case of which—
 - (i) no nuclear site licence is for the time being in force; and
 - (ii) 30 years have passed since the end of the last licensee’s period of responsibility;
 - (b) must include a map or maps showing the position and limits of each site shown in the list.
- (3) The authority must arrange for the list, or a copy of it, to be available for inspection by the public.
- (4) In this section “appropriate authority” means—
 - (a) in relation to England and Wales and Northern Ireland, the Secretary of State;
 - (b) in relation to Scotland, the Scottish Ministers.”

20A In section 19(1) (special cover for licensee’s liability), for “section 3(5)” substitute “section 3(11)”.

20B For section 22 (reporting of and inquiries into dangerous occurrences) substitute—

Energy Bill, *continued*

“22 Reporting of and inquiries into dangerous occurrences

- (1) The provisions of this section apply where any prescribed occurrence happens—
 - (a) on a licensed site, or
 - (b) in the course of the carriage of nuclear matter on behalf of any person where a duty with respect to that carriage is imposed on that person by section 7, 10 or 11 of this Act.
- (2) The licensee or other person mentioned in subsection (1) must ensure that the occurrence is reported without delay in the prescribed manner—
 - (a) to the appropriate national authority, and
 - (b) to such other persons, if any, as may be prescribed in relation to occurrences of that kind.
- (3) A person who is required by virtue of subsection (2) to report an occurrence and who fails to do so is guilty of an offence.
- (4) A person convicted of an offence under subsection (3) in England and Wales or Scotland is liable—
 - (a) on conviction on indictment to imprisonment for a term not exceeding 2 years, or a fine, or both;
 - (b) on summary conviction to imprisonment for a term not exceeding 12 months, or a fine (in England and Wales) or a fine not exceeding £20,000 (in Scotland), or both.
- (5) A person convicted of an offence under subsection (3) in Northern Ireland is liable on summary conviction to imprisonment for a term not exceeding 3 months, or a fine not exceeding level 3 on the standard scale, or both.
- (6) In relation to an offence committed before the commencement of section 154(1) of the Criminal Justice Act 2003 (general limit on magistrates’ court’s power to imprison), the reference to 12 months in subsection (4)(b), as it has effect in England and Wales, is to be read as a reference to 6 months.
- (7) Before exercising any function under subsection (1) or (2) in or as regards Scotland, the Secretary of State must consult the Scottish Ministers.
- (8) Subsections (9) to (11) have effect only in relation to a prescribed occurrence which happens in Northern Ireland.
- (9) The Secretary of State—
 - (a) may direct an inspector to make a special report with respect to the occurrence, and
 - (b) may cause any such report, or so much of it as it is not in the Secretary of State’s opinion inconsistent with the interests of national security to disclose, to be made public at such time and in such manner as the Secretary of State considers appropriate.
- (10) The Secretary of State may direct an inquiry to be held into the occurrence and its causes, circumstances and effects.
- (11) Any such inquiry must be held—

Energy Bill, *continued*

- (a) in accordance with the provisions of Schedule 2 to this Act, and
- (b) in public, except where or to the extent that it appears to the Secretary of State expedient in the interests of national security to direct otherwise.”.’.

Secretary Edward Davey

92

Schedule 12, page 171, line 35, leave out ‘or Wales’.

Secretary Edward Davey

93

Schedule 12, page 171, line 40, at end insert—

- ‘() in the case of a site in Wales, the Natural Resources Body for Wales;’.

Secretary Edward Davey

144

Schedule 12, page 172, line 1, leave out sub-paragraph (3) and insert—

- ‘() Omit the definition of “inspector”.
- () In the definition of “nuclear site licence” for “section 1(1)” substitute “section 1(2)”.’.

Secretary Edward Davey

145

Schedule 12, page 172, leave out line 10 and insert—

- ‘() In the definition of “period of responsibility” for “section 5(3)” substitute “section 5(14)”.

24 In section 27 (Northern Ireland) omit paragraphs (b) and (c) of subsection (1).’.

Secretary Edward Davey

146

Schedule 12, page 172, line 13, at end insert—

‘25A(1) Schedule 2 is amended as follows.

- (1) In paragraph 1 for “section 22(5)” substitute “section 22(10)”.
- (2) In paragraphs 1, 2, 5 and 6, for “the Minister” in each place where it appears substitute “the Secretary of State”.
- (3) In paragraph 7—
 - (a) for “or, in Scotland, the Court of Session, and the High Court or Court of Session” substitute “and the High Court”;
 - (b) omit “or, as the case may be, the Court of Session”.
- (4) Omit paragraph 8.
- (5) For the title substitute “Inquiries under section 22(10) relating to occurrences in Northern Ireland”.

Energy Bill, continued

Consequential repeals and revocations

25B In consequence of the amendments made by paragraphs 16 to 25A, the provisions listed in the following Table are repealed or revoked to the extent specified—

<i>Title</i>	<i>Extent of repeal or revocation</i>
Electricity Act 1989 (c. 29)	In Schedule 16, paragraph 11.
Water Act 1989 (c. 15)	In Schedule 25, paragraph 33.
Radioactive Substances Act 1993 (c. 12)	In Schedule 4, paragraph 2.
Environment Act 1995 (c. 25)	In Schedule 22, paragraphs 7 to 9.
Energy Act 2004 (c. 20)	Section 78(1).
Energy Act 2008 (c. 32)	Section 65. In section 112(3), the words “(other than section 65)”.
Marine and Coastal Access Act 2009 (c. 23)	In Schedule 14, paragraph 6.
The Nuclear Installations Act 1965 etc. (Repeals and Modifications) Regulations 1974 (S.I. 1974/2056)	Schedule 1, except for the entry relating to section 25 of the Nuclear Installations Act 1965. In Schedule 2, paragraphs 1, 2, 3 and 6.
The Nuclear Installations Act 1965 (Repeal and Modifications) Regulations 1990 (S.I. 1990/1918)	In the Schedule, paragraph 1.
The Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750)	In Schedule 1, in the entry for the Nuclear Installations Act 1965, in column 1, in paragraph (b), the words “6 and”. In Schedule 3, in the entry for the Nuclear Installations Act 1965, in column 1, the words— (a) “1(1)(b) and (2)”; (b) “and 22(1) and (2),”.
The Water Industry (Scotland) Act 2002 (Consequential Modifications) Order 2004 (S.I. 2004/1822 (S. 3))	In the Schedule, paragraph 5.
The Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010/675)	In Part 1 of Schedule 26, paragraph 2.
The Natural Resources Body for Wales (Functions) Order 2013 (S.I. 2013/755 (W. 90))	In Part 1 of Schedule 2, paragraph 41.’.

Secretary Edward Davey

147

Schedule 12, page 172, line 22, leave out ‘not exceeding £20,000,’ and insert ‘(in England and Wales) or a fine not exceeding £20,000 (in Scotland or Northern Ireland),’.

Energy Bill, *continued**AMENDMENTS TO CLAUSE 126 AND SCHEDULE 14*

Caroline Flint
Tom Greatrex
Luciana Berger

2

Schedule 14, page 192, line 9, leave out subsection (4).

Caroline Flint
Tom Greatrex
Luciana Berger

3

Schedule 14, page 192, line 18, at end insert ‘unless one or more consumers have suffered loss or damage greater than this value.’.

Caroline Flint
Tom Greatrex
Luciana Berger

4

Schedule 14, page 192, line 24, at end insert ‘unless one or more consumers have suffered loss or damage greater than this value.’.

Caroline Flint
Tom Greatrex
Luciana Berger

5

Schedule 14, page 198, line 31, leave out subsection (4).

Caroline Flint
Tom Greatrex
Luciana Berger

6

Schedule 14, page 198, line 40, at end insert ‘unless one or more consumers have suffered loss or damage greater than this value.’.

Caroline Flint
Tom Greatrex
Luciana Berger

7

Schedule 14, page 198, line 46, at end insert ‘unless one or more consumers have suffered loss or damage greater than this value.’.

Energy Bill, continued

NEW CLAUSES AND NEW SCHEDULES RELATING TO DECARBONISATION, AMENDMENTS TO PART 1 AND REMAINING AMENDMENTS TO CLAUSE 5

Mr Tim Yeo
Barry Gardiner
Caroline Lucas
Dr Alan Whitehead
Mr Mike Weir
Steve McCabe

John McDonnell
Katy Clark
Dr Julian Huppert
Kelvin Hopkins
Dame Joan Ruddock
Mike Gapes
Roger Williams
Mark Lazarowicz
Mr David Anderson
Paul Goggins
Andrew Stunell
Mr Brian H. Donohoe
Graeme Morrice
Caroline Flint

Sir Gerald Kaufman
John Cryer
Mike Wood
Martin Horwood
Andrew George
Mr Mike Hancock
Dr Hywel Francis
Caroline Nokes
Paul Blomfield
Mr David Amess
Mr Mark Williams
Zac Goldsmith
Jim Dobbin
Tom Greatrex

Mr Dai Havard
John Robertson
John Hemming
Martin Caton
Mr Frank Field
Greg Mulholland
Mark Durkan
Nia Griffith
Sir Peter Bottomley
Mr John Leech
Mr Andrew Smith
Lucy Powell
Yasmin Qureshi
Luciana Berger

11

Clause 1, page 1, line 4, after ‘ensure’, insert ‘that a decarbonisation target range is set and that’.

Mr Tim Yeo
Barry Gardiner
Caroline Lucas
Dr Alan Whitehead
Mr Mike Weir
Steve McCabe

John McDonnell
Katy Clark
Dr Julian Huppert
Kelvin Hopkins
Dame Joan Ruddock
Mike Gapes
Roger Williams
Caroline Nokes
Paul Blomfield
Mr David Amess
Mr Andrew Smith
Lucy Powell
Yasmin Qureshi
Luciana Berger

Sir Gerald Kaufman
John Cryer
Mike Wood
Martin Horwood
Andrew George
Mr Mike Hancock
Dr Hywel Francis
Nia Griffith
Sir Peter Bottomley
Mr John Leech
Mr Brian H. Donohoe
Graeme Morrice
Caroline Flint

Mr Dai Havard
John Robertson
John Hemming
Martin Caton
Mr Frank Field
Greg Mulholland
Mark Lazarowicz
Mr David Anderson
Paul Goggins
Mr Mark Williams
Zac Goldsmith
Jim Dobbin
Tom Greatrex

12

Clause 1, page 1, line 5, leave out ‘a decarbonisation target range is set, that’ and insert ‘such a target range is set’.

Energy Bill, continued

Mr Tim Yeo
 Barry Gardiner
 Caroline Lucas
 Dr Alan Whitehead
 Mr Mike Weir
 Steve McCabe

John McDonnell
 Katy Clark
 Dr Julian Huppert
 Kelvin Hopkins
 Dame Joan Ruddock
 Mr Mike Hancock
 Dr Hywel Francis
 Caroline Nokes
 Paul Blomfield
 Mr David Amess
 Mr Andrew Smith
 Lucy Powell
 Yasmin Qureshi
 Luciana Berger

Sir Gerald Kaufman
 John Cryer
 Mike Wood
 Martin Horwood
 Mr Frank Field
 Greg Mulholland
 Mark Durkan
 Nia Griffith
 Sir Peter Bottomley
 Mr John Leech
 Mr Brian H. Donohoe
 Graeme Morrice
 Caroline Flint

Mr Dai Havard
 John Robertson
 John Hemming
 Martin Caton
 Mike Gapes
 Roger Williams
 Mark Lazarowicz
 Mr David Anderson
 Paul Goggins
 Mr Mark Williams
 Zac Goldsmith
 Jim Dobbin
 Tom Greatrex

13

Clause 1, page 1, line 8, leave out ‘may’ and insert ‘must’.

Mr Tim Yeo
 Barry Gardiner
 Caroline Lucas
 Dr Alan Whitehead
 Mr Mike Weir
 Steve McCabe

John McDonnell
 Katy Clark
 Dr Julian Huppert
 Kelvin Hopkins
 Andrew George
 Mr Mike Hancock
 Dr Hywel Francis
 Caroline Nokes
 Paul Blomfield
 Mr David Amess
 Mr Andrew Smith
 Lucy Powell
 Yasmin Qureshi
 Luciana Berger

Sir Gerald Kaufman
 John Cryer
 Mike Wood
 Martin Caton
 Mr Frank Field
 Greg Mulholland
 Mark Durkan
 Nia Griffith
 Sir Peter Bottomley
 Mr John Leech
 Mr Brian H. Donohoe
 Graeme Morrice
 Caroline Flint

Mr Dai Havard
 John Robertson
 John Hemming
 Dame Joan Ruddock
 Mike Gapes
 Roger Williams
 Mark Lazarowicz
 Mr David Anderson
 Paul Goggins
 Mr Mark Williams
 Zac Goldsmith
 Jim Dobbin
 Tom Greatrex

14

Clause 1, page 1, line 11, at end insert—

- ‘(4) Subject to section 2(1) the decarbonisation level must not exceed the level deemed consistent with a low-carbon trajectory as advised by the Committee on Climate Change’.

Energy Bill, *continued*

Mr Tim Yeo
Barry Gardiner
Caroline Lucas
Dr Alan Whitehead
Mr Mike Weir
Steve McCabe

John McDonnell
Katy Clark
Dr Julian Huppert
Kelvin Hopkins
Dame Joan Ruddock
Mike Gapes
Roger Williams
Mark Lazarowicz
Mr David Anderson
Paul Goggins
Mr Mark Williams
Mr Adrian Sanders
Graeme Morrice
Caroline Flint

Sir Gerald Kaufman
John Cryer
Mike Wood
Martin Horwood
Andrew George
Mr Mike Hancock
Dr Hywel Francis
Caroline Nokes
Paul Blomfield
Mr David Amess
Mr Andrew Smith
Zac Goldsmith
Jim Dobbin
Tom Greatrex

Mr Dai Havard
John Robertson
John Hemming
Martin Caton
Mr Frank Field
Greg Mulholland
Mark Durkan
Nia Griffith
Sir Peter Bottomley
Mr John Leech
Mr Brian H. Donohoe
Lucy Powell
Yasmin Qureshi
Luciana Berger

15

Clause 1, page 2, line 2, leave out from ‘and the first decarbonisation order may not’ to ‘Climate Change Act 2008’ and insert ‘a decarbonisation order must be made by 1 April 2014’.

Mr Tim Yeo
Barry Gardiner
Caroline Lucas
Dr Alan Whitehead
Mr Mike Weir
John McDonnell

Sir Gerald Kaufman
John Cryer
Mike Wood
Martin Caton
Mr Frank Field
Greg Mulholland
Mark Lazarowicz
Mr David Anderson
Paul Goggins
Mr Andrew Smith
Lucy Powell
Yasmin Qureshi
Luciana Berger

Mr Dai Havard
John Robertson
John Hemming
Dame Joan Ruddock
Mike Gapes
Dr Hywel Francis
Caroline Nokes
Paul Blomfield
Mr David Amess
Mr Brian H. Donohoe
Graeme Morrice
Caroline Flint

Katy Clark
Dr Julian Huppert
Kelvin Hopkins
Andrew George
Mr Mike Hancock
Mark Durkan
Nia Griffith
Sir Peter Bottomley
Mr John Leech
Zac Goldsmith
Jim Dobbin
Tom Greatrex

16

Clause 1, page 2, line 6, leave out ‘A’ and insert ‘Subject to section 2(1), a’.

Energy Bill, continued

Mr Tim Yeo
Barry Gardiner
Caroline Lucas
Dr Alan Whitehead
Mr Mike Weir
John McDonnell

Sir Gerald Kaufman
John Cryer
Mike Wood
Martin Caton
Mr Frank Field
Greg Mulholland
Mark Lazarowicz
Mr David Anderson
Paul Goggins
Mr Andrew Smith
Lucy Powell
Yasmin Qureshi
Caroline Flint

Mr Dai Havard
John Robertson
John Hemming
Dame Joan Ruddock
Mike Gapes
Dr Hywel Francis
Caroline Nokes
Paul Blomfield
Mr David Amess
Mr Brian H. Donohoe
Graeme Morrice

Tom Greatrex

Katy Clark
Dr Julian Huppert
Kelvin Hopkins
Andrew George
Mr Mike Hancock
Mark Durkan
Nia Griffith
Sir Peter Bottomley
Mr John Leech
Zac Goldsmith
Jim Dobbin

Luciana Berger

17

Clause 2, page 2, line 30, leave out from ‘The following matters’ to ‘target range’ and insert ‘Before exercising the power to make a decarbonisation order the Secretary of State must obtain and take into account the advice of the Committee on Climate Change.’.

Mr Tim Yeo
Barry Gardiner
Caroline Lucas
Dr Alan Whitehead
Mr Mike Weir
John McDonnell

Sir Gerald Kaufman
John Cryer
Mike Wood
Martin Caton
Mr Frank Field
Greg Mulholland
Mark Lazarowicz
Mr David Anderson
Paul Goggins
Mr Andrew Smith
Lucy Powell
Yasmin Qureshi
Luciana Berger

Mr Dai Havard
John Robertson
John Hemming
Dame Joan Ruddock
Mike Gapes
Dr Hywel Francis
Caroline Nokes
Paul Blomfield
Mr David Amess
Mr Brian H. Donohoe
Graeme Morrice
Caroline Flint

Katy Clark
Dr Julian Huppert
Kelvin Hopkins
Andrew George
Mr Mike Hancock
Mark Durkan
Nia Griffith
Sir Peter Bottomley
Mr John Leech
Zac Goldsmith
Jim Dobbin
Tom Greatrex

18

Clause 2, page 2, line 32, leave out ‘The matters are’ and insert ‘In providing its advice to the Secretary of State the Committee on Climate Change must take into account the following matters’.

Energy Bill, *continued*

Mr Tim Yeo
Barry Gardiner
Caroline Lucas
Dr Alan Whitehead
Mr Mike Weir
John McDonnell

Sir Gerald Kaufman
John Cryer
Mike Wood
Martin Caton
Mr Frank Field
Greg Mulholland
Mark Lazarowicz
Mr David Anderson
Paul Goggins
Mr Andrew Smith
Lucy Powell
Yasmin Qureshi
Luciana Berger

Mr Dai Havard
John Robertson
John Hemming
Dame Joan Ruddock
Mike Gapes
Dr Hywel Francis
Caroline Nokes
Paul Blomfield
Mr David Amess
Mr Brian H. Donohoe
Graeme Morrice
Caroline Flint

Katy Clark
Dr Julian Huppert
Kelvin Hopkins
Andrew George
Mr Mike Hancock
Mark Durkan
Nia Griffith
Sir Peter Bottomley
Mr John Leech
Zac Goldsmith
Jim Dobbin
Tom Greatrex

19

Clause 2, page 2, line 46, at end insert—

- ‘(3) As soon as is reasonably practicable after giving its advice to the Secretary of State, the Committee must publish that advice in such manner as it considers appropriate.
- (4) If in making a decarbonisation order the Secretary of State makes provision different from that recommended by the Committee, the Secretary of State must, on making the order, publish a statement setting out the reasons for that decision.’.

Mr Tim Yeo
Barry Gardiner
Caroline Lucas
Dr Alan Whitehead
Mr Mike Weir
John McDonnell

Sir Gerald Kaufman
John Robertson
John Hemming
Dame Joan Ruddock
Mike Gapes
Dr Hywel Francis
Caroline Nokes
Paul Blomfield
Mr David Amess

Mr Dai Havard
Dr Julian Huppert
Kelvin Hopkins
Andrew George
Mr Mike Hancock
Mark Durkan
Nia Griffith
Sir Peter Bottomley
Mr John Leech

Katy Clark
Mike Wood
Martin Caton
Mr Frank Field
Greg Mulholland
Mark Lazarowicz
Mr David Anderson
Paul Goggins
Mr Andrew Smith

Energy Bill, continued

Mr Brian H. Donohoe
Graeme Morrice
Caroline Flint

Zac Goldsmith
Jim Dobbin
Tom Greatrex

Lucy Powell
Yasmin Qureshi
Luciana Berger

20

Clause 3, page 3, line 2, leave out from ‘a report setting out’ to the end of subsection and insert ‘and publish a delivery plan setting out proposals to achieve the duty in section 1 to ensure that the decarbonisation target range is not exceeded.’.

Secretary Edward Davey

51

Clause 5, page 5, line 3, at end insert—

‘(aa) the duty of the Secretary of State under section 1(1) of this Act (decarbonisation target range);’.

Secretary Edward Davey

70

Clause 135, page 104, line 6, at end insert—

‘(za) Part 1 (decarbonisation);’.

***NEW CLAUSES AND NEW SCHEDULES RELATING TO ELECTRICITY DEMAND
REDUCTION AND REMAINING PROCEEDINGS ON CONSIDERATION***

Provision about electricity demand reduction

Secretary Edward Davey

NC11

To move the following Clause:—

- ‘(1) This section applies where provision made by electricity capacity regulations relates to the provision of capacity by reducing demand for electricity.
- (2) Where this section applies, the Secretary of State may, instead of conferring functions on the national system operator, confer functions on such other person or body as the Secretary of State considers appropriate.
- (3) For the purposes of provision made by virtue of subsection (2), the references to the national system operator in—
 - (a) section 22(5)(a) and (d);
 - (b) section 23(2)(a) and 23(3)(a);
 - (c) section 25;
 - (d) section 27(2)(a) and (b);
 - (e) section 29,

Energy Bill, continued

are to be read as if they included a reference to a person or body on whom a function is conferred by virtue of this section.’.

Pilot scheme for electricity demand reduction

Secretary Edward Davey

NC12

To move the following Clause:—

‘There may be paid out of money provided by Parliament expenditure incurred by the Secretary of State in connection with arrangements made—

- (a) for the purpose of reducing demand for electricity, and
- (b) wholly or partly for the purpose of determining provision to be included in electricity capacity regulations.’.

“Fuel poverty tax”

John Robertson
Jim Sheridan
Graeme Morrice
Kate Hoey
Mr David Anderson
John McDonnell

Martin Caton
Mr Michael McCann
Mark Durkan
Mr Mark Williams

Steve McCabe
Mike Gapes
Mr George Howarth
Caroline Lucas

Katy Clark
Mrs Mary Glendon
Mark Lazarowicz

NC1

To move the following Clause:—

- ‘(1) The energy regulator, Ofgem, may—
 - (a) monitor the accounts of all vertical subsidiaries of energy companies;
 - (b) require energy companies to provide full, detailed and separate accounts of all activities in its group both in the supply and provision sides, where “group” includes all undertakings controlled by, controlling or under common control with such energy companies and “control” is defined by Ofgem but includes ownership to the extent of 50 per cent. or more;
 - (c) impose a fine up to a maximum of 5 per cent. of turnover, a “Fuel Poverty Tax” on any energy company that is deemed by Ofgem to have made “excessive profit”, a term to be determined under statutory instruments approved by resolution of both Houses of Parliament and revised each year.
- (2) The power under subsection (1) may be exercised for the purpose only of—
 - (a) promoting competition in domestic supplies of gas and electricity; or
 - (b) mitigating the effects for domestic customers of rising gas and electricity prices.

Energy Bill, continued

- (3) The revenues raised from any “fuel poverty tax” shall be used to tackle the worst cases of fuel poverty.’.
-

Strategy for electricity demand reduction

Caroline Lucas

NC2

To move the following Clause:—

- 5 ‘(1) The Secretary of State must within 12 months of the passing of this Act publish a strategy setting out policies to achieve a reduction in demand for electricity of at least 103 TWh by 2020 and 154 TWh by 2030.
- (2) The strategy must include an assessment of the cost effectiveness of the policies included in it.
- (3) Before publishing the strategy the Secretary of State must consult such persons as in his opinion may have information that will assist him in drawing up the strategy.
- 10 (4) The Secretary of State must—
- (a) implement the strategy; and
- (b) report to Parliament every year on progress.’.

As an Amendment to Caroline Lucas’s proposed New Clause (*Strategy for electricity demand reduction*) (NC2):—

Mr Christopher Chope
Mr Edward Leigh

(a)

Line 11, at end add—

- ‘(5) Nothing in the strategy shall rely upon the use of the price mechanism to reduce demand.’.
-

Community rights to priority access to local power generation and local grid ownership

Caroline Lucas

NC3

To move the following Clause:—

- ‘(1) The Secretary of State must within one year of the passing of this Act consult on and bring forward mechanisms to give local communities the rights to—
- (a) priority access to electricity generation where an energy scheme is owned wholly or partly by a local community;

Energy Bill, continued

- (b) access to electricity generated at wholesale market prices where an energy scheme is owned wholly or partly by a local community; and
- (c) ownership of local distribution networks.’.

Energy contract rollovers for small businesses

Caroline Lucas

NC4

To move the following Clause:—

- ‘(1) The Secretary of State must make regulations to require Ofgem to amend Standard License Condition 7A (SLC7A) to limit energy contract rollovers for small businesses to 30 days.
- (2) The power to make regulations is exercisable by statutory instrument.
- (3) A statutory instrument containing regulations under this section may not be made unless a draft of the instrument has been laid before and approved by a resolution of each House of Parliament.
- (4) The regulations under subsection (1) shall provide for the 30-day limit to come into force after the publishing of a report by Ofgem on the practice of out of contract rates and the related altering of supplier license conditions, following the passing of this Act.
- (5) In this section, “small business” means a business—
 - (a) which has—
 - (i) fewer than 10 employees (or full-time equivalent), and
 - (ii) an annual turnover or annual balance sheet not exceeding 2 million euros; or
 - (b) which uses less than 293,000 kWh of gas per year and 100,000 kWh of electricity per year.

“energy contract roll-over” means the transfer by an energy supplier of a consumer nearing the end of a fixed term, fixed rate tariff, to another fixed rate for a further fixed period without the customer actively indicating his or her desire to do so.’.

Early payment of winter fuel allowance in certain circumstances

Mr Mike Weir
Hywel Williams
Katy Clark
Ms Margaret Ritchie

NC6

To move the following Clause:—

- ‘The Social Fund Winter Fuel Payment Regulations 2000 (S.I. 2000/729 S.I.2000/729) are amended as follows.
- (1) In regulation 1(2) leave out ““qualifying week” means in respect of any year the week beginning on the third Monday in the September of that year” and insert—

Energy Bill, continued

““qualifying week” means—

- (c) in respect of any year for an applicant whose home is connected to the mains gas grid the week beginning on the third Monday in the September of that year; or
 - (d) in respect of any year for an applicant whose home is not connected to the mains gas grid the week beginning on the third Monday in the July of that year.”.
- (2) The Social Fund Winter Fuel Payment Regulations 2000 (S.I. 2000/729 S.I. 2000/729) are amended as follows.
- (3) In regulation 4, leave out paragraph (1) and insert—
- “(1) Subject to paragraph (2) the Secretary of State may make a winter fuel payment under regulation 2 to a person who (disregarding regulation 3(b)) appears from official records held by the Secretary of State to be entitled to a payment under that regulation—
- (a) in respect of an applicant whose home is not connected to the mains gas grid, before 30 September of the year in which the qualifying week falls, or
 - (b) in respect of an applicant whose home is connected to the mains gas grid, before 31 March of the year following the year in which the qualifying week falls.
- 25 (1A) Payments made under paragraph (1)(a) are made in respect of the forthcoming winter.
- (1B) Payments made under paragraph (1)(b) are made in respect of the preceding winter.”.’.

Environmental impact of transmission

Dr Liam Fox
Glyn Davies
Mr Adam Holloway
Miss Anne McIntosh
David T.C. Davies
Mrs Eleanor Laing

Mr James Gray

Zac Goldsmith

NC7

To move the following Clause:—

- ‘(1) The Electricity Act 1989 is amended as follows.
- (2) In section 9 (general duties of licence holders), after subsection (1)(b) insert—
 - “(c) to have regard for the protection of the environment and, in particular, to conserve the natural beauty and amenity of the countryside.”
- (3) In section 9 (general duties of licence holders), after subsection (2)(b) insert—
 - “(c) to have regard for the protection of the environment and, in particular, to conserve the natural beauty and amenity of the countryside.”

Energy Bill, continued

- (4) In Schedule 9 (preservation of amenity and fisheries), in sub-paragraph (1)(b) leave out “mitigate” and insert “avoid, or where appropriate minimise”.

As Amendments to Dr Liam Fox’s proposed New Clause (*Environmental impact of transmission*) (NC7):—

Mr Christopher Chope
Mr Edward Leigh

Line 5, at end insert ‘and coastal waters’.

(a)

Mr Christopher Chope
Mr Edward Leigh

Line 9, at end insert ‘and coastal waters’.

(b)

Installation and replacement of meters to provide for carbon monoxide safety

Mr Barry Sheerman

NC16

To move the following Clause:—

- ‘(1) The Secretary of State, after consultation with the Health and Safety Executive, shall make regulations to provide as follows—
- (a) no person shall replace or install a meter or a smart meter in any premises unless he is equipped with a personal alarm monitor for detecting carbon monoxide gas;
 - (b) where a person replaces or installs a meter or a smart meter he shall ensure that—
 - (i) all gas appliances in the premises are adequately tested for emissions of carbon monoxide gas, using equipment suitable for detecting and recording parts per million of carbon monoxide;
 - (ii) a record of these tests is provided firstly to the occupier and any person who could have been exposed and secondly to the person responsible in writing including the parts per million of carbon monoxide found if any, the date of the test, the name of the first call operative and their gas safe register number and the postal address of the property;
 - (iii) before any changes are made an appliance etc or any appliance is removed, an opportunity must be afforded to those potentially exposed to carbon monoxide gas to consider their rights of redress including legal redress;
 - (iv) immediately following installation the meters are adequately tested to verify that there are no dangerous emissions of carbon monoxide gas;
 - (v) the manufacturer’s instructions are provided to the occupier and any person responsible; and
 - (vi) the occupier and any person responsible are advised to fit an audible alarm system certified to EN 50291 standard or its

Energy Bill, *continued*

equivalent successor certification and of the importance of proper and regular maintenance;

- (c) regulation 26(10) of the Gas Safety (Installation and Use) Regulations 1998 (which removes safeguards in circumstances of disconnection or purging of gas or air from an appliance) is hereby repealed.’.
-

Carbon monoxide safety board

Mr Mike Hancock

NC 17

To move the following Clause:—

- ‘(1) There shall be a Carbon Monoxide Safety Board.
- (2) The Carbon Monoxide Safety Board shall consist of a chairperson and six other members of whom—
- (a) the chairperson shall be a person appointed by the Secretary of State who the Secretary of State is satisfied has no interest connected with carbon monoxide which might hinder them from discharging their function as a member of the Board in an impartial manner;
 - (b) three members shall be appointed by industry; and
 - (c) three members shall be appointed by appropriate consumer safety groups.
- (3) All members of the Board shall hold office for 12 months following which period they shall be eligible for reappointment for a maximum of two further terms.
- (4) The Board may pay the chairperson such remuneration and to any member of the Board, travelling, subsistence and other allowances at such rates as the Board may with the approval of the Secretary of State determine.
- (5) The Board shall employ an administrator on such terms as to remuneration, pensions or otherwise as the Board may determine.
- (6) The Board may appoint such other officers, servants and agents on such terms as to remuneration, pensions or otherwise as the Board may determine.
- (7) The chairperson is to have a casting vote on all matters for decision by the Board.
- (8) The Board may regulate their own procedure and make standing orders governing the conduct of their business.’.
-

Carbon monoxide safety levy

Mr Mike Hancock

NC 18

To move the following Clause:—

- ‘(1) There shall be a carbon monoxide safety levy.
- (2) The carbon monoxide safety levy is a levy—
- (a) charged in respect of supplies of fuel that have been, or are expected to be, made in each specified period, and

Energy Bill, *continued*

- (b) payable in respect of each such period by persons who make, or are expected to make, the supplies.
- (3) In subsection (2) fuel includes gas, solid fuel, heating oil, paraffin and barbeque fuel.
- (4) The Secretary of State may from time to time by order specify the rate of the levy to be charged.
- (5) The order may, in particular, make provision about any of the following matters—
 - (a) what a supply of fuel is for the purposes of the levy;
 - (b) when a supply of fuel is, or is expected to be, made for those purposes;
 - (c) who makes, or is expected to make, a supply of fuel for those purposes;
 - (d) the rates or amounts of the levy, or how such rates or amounts are to be determined;
 - (e) payment of the levy, including deadlines for payment in respect of each period and interest in respect of late payment;
 - (f) administration of the levy;
 - (g) audit of information (whether by the administrator of the levy or a third party) including requirements for audits to be paid by the person whose information is subject to the audit;
 - (h) provision of information, including its provision to third parties in specified circumstances;
 - (i) enforcement of the levy;
 - (j) insolvency of person liable to pay the levy;
 - (k) reviews and appeals; and
 - (l) the functions of the Carbon Monoxide Safety Board in connection with the levy;
- (6) The administrator of the levy, in the case of persons who make, or are expected to make, supplies of fuel in Great Britain, is the Carbon Monoxide Safety Board.
- (7) In a case where a person liable to pay the levy has made any overpayment or underpayment (whether arising because an estimate turns out to be wrong or otherwise), provision under subsection (5)(e) may require the amount of the overpayment or underpayment (including interest) to be set off against, or added to, any subsequent liability of the person to pay the levy.
- (8) Provision under subsection (5)(i) may include provision for the imposition of penalties if a requirement in respect of the levy is breached (whether financial or not, but not including the creation of criminal offences).’

Use of levy payments

Mr Mike Hancock

NC19

To move the following Clause:—

- ‘(1) Amounts payable in respect of the carbon monoxide safety levy are to be paid to the Carbon Monoxide Safety Board.
- (2) Subject to section [Carbon Monoxide Safety Board] (5) and (6) amounts paid to the Board may be used only—

Energy Bill, continued

- (a) for the purpose of raising awareness among the general public of the dangers of carbon monoxide poisoning and the risk of injury or death from carbon monoxide poisoning and other combustion products;
 - (b) for research into the products of combustion and the consequences on the health of those exposed to products of combustion with the aim of developing measures to reduce deaths and injuries; and
 - (c) for measures, which in the opinion of the Board are likely to reduce deaths and injuries from carbon monoxide poisoning and other combustion products or assist victims, their families, friends and colleagues.
- (3) The order may contain further provision about—
- (a) the time by which the Board must spend the funds paid under the carbon monoxide safety levy for the purposes set out in subsection (2); and
 - (b) the manner in which any such payments are to be made.
- (4) Subsections (2) and (3) are subject to subsections (5) to (7).
- (5) The order may provide for amounts received by the Board under subsection (1) to be used by the administrator to make payments into the Consolidated Fund in respect of costs (or a proportion of costs) which have been or are expected to be incurred by the Secretary of State, in connection with the performance of functions conferred by or under section [carbon monoxide safety levy] and this section.
- (6) The order may prevent the Board using amounts to make payments in respect of costs of a specified description.
- (7) In this section “the order”, means any order made under subsection (3).’.

Vehicle fuel receipts

Robert Halfon

NC20

To move the following Clause:—

‘That all vehicle fuel receipts must include the amount of fuel duty paid, how much of this is spent on road maintenance, and how much of it goes to oil companies.’.

Caroline Flint
Tom Greatrex
Luciana Berger

1

Clause 10, page 8, line 8, at end insert—

- ‘() Section 41(4)(a) of the Energy Act 2008 (“specified maximum capacity”) is amended as follows:
“Specified maximum capacity” means the capacity specified by the Secretary of State by order, which must not be less than 10 megawatts.’.

Energy Bill, *continued*

Caroline Lucas
Mike Weatherley

42

Clause 10, page 8, line 8, at end insert—

‘() Regulations must—

- (a) place a duty on the Secretary of State and the Authority to promote new generation capacity from distributed generation schemes; and
- (b) define “distributed generation schemes”.’.

Caroline Lucas
Mike Weatherley

43

Clause 10, page 8, line 8, at end insert—

‘() In section 41(2)(a) of the Energy Act 2008, at end insert—

“() establishing, or making arrangements for the administration of, a scheme of financial incentives to encourage the distributed generation of electricity;”.’.

Caroline Lucas
Mike Weatherley

44

Clause 10, page 8, line 8, at end insert—

‘() In section 41(2)(b) of the Energy Act 2008, at end insert—

“() requiring or enabling the holder of a distribution licence to make arrangements for the distribution of electricity generated by distributed generation;”.’.

Caroline Lucas
Mike Weatherley

45

Clause 10, page 8, line 8, at end insert—

‘() In section 41(2)(c) of the Energy Act 2008, at end insert—

“() requiring the holder of a licence to make arrangements related to the matters mentioned in paragraph () or ().”.’.

Caroline Lucas
Mike Weatherley

46

Clause 10, page 8, line 8, at end insert—

‘() Section 41(4)(a) of the Energy Act 2008 (“specified maximum capacity”) is amended as follows—

“specified maximum capacity” means the capacity specified by the Secretary of State by order, which must not exceed 50 megawatts.’.

Energy Bill, *continued*

Dr Alan Whitehead
Mike Weatherley
Caroline Lucas

47

Clause 15, page 10, line 13, at end insert—

- ‘(d) conferring on the Secretary of State the power to establish an auction market (the “green power auction market”) in which generators are entitled to offer, and holders of supply licences are entitled to bid for, electricity generated from renewable sources.
- (e) the the Secretary of State must exercise the powers in subsection (d), and take such other steps as they consider necessary, for the purposes of ensuring that—
 - (i) the green power auction market begins to operate when the first CFD is made and does not cease to operate until expiry of the last CFD that has been made; and
 - (ii) the reference price under a CFD entered into by a generator who is a party to any agreement made through the green power auction market is based on the price payable to the generator under that agreement,
 - (iii) in this section, “supply license” means a licence under the section 6(1)(d) of the Energy Act 1989.’.

Dr Alan Whitehead
Zac Goldsmith
Caroline Lucas
Mr John Leech
Jim Dobbin
John Robertson

Katy Clark
Mark Lazarowicz
Martin Caton
Dr Julian Huppert

Mike Weatherley
John McDonnell
Mr Mike Hancock
Martin Horwood

Kelvin Hopkins
Mr Michael Meacher
Graeme Morrice

34

Clause 21, page 12, line 41, leave out ‘this section’ and insert ‘subsection (1)’.

Secretary Edward Davey

100

Clause 21, page 13, line 4, at end insert—

- ‘(3A) The provision which may be made about the meaning of “reducing demand for electricity” includes provision that reducing the consumption of electricity reduces demand for electricity.’.

Energy Bill, *continued*

Dr Alan Whitehead
Zac Goldsmith
Caroline Lucas
Mr John Leech
Jim Dobbin
John Robertson

Andrew George
Kelvin Hopkins
Mr Michael Meacher
Martin Caton
Mark Durkan

Katy Clark
Mark Lazarowicz
Mr Andrew Smith
Mr Mike Hancock
Dr Julian Huppert

Mike Weatherley
John McDonnell
Dame Joan Ruddock
Graeme Morrice
Martin Horwood

35

Clause 21, page 13, line 6, at end insert—

- ‘(4A) The Secretary of State must within one year of the passing of this Act make regulations establishing a scheme or schemes to make payments for the purpose of rewarding the installation of energy saving measures.
- (4B) Regulations under subsection (4A) are referred to in this Chapter as “demand reduction regulations”.
- (4C) Prior to the making of regulations under subsection (4A), the Secretary of State must publish a report setting out the total potential for energy demand reduction and the extent to which this potential will be achieved by Government policies including—
 - (a) the scheme or schemes, and
 - (b) other relevant programmes, regulation or expenditure.’.

Dr Alan Whitehead
Zac Goldsmith
Caroline Lucas
Mr John Leech
Jim Dobbin
John Robertson

Andrew George
Kelvin Hopkins
Mr Michael Meacher
Martin Caton
Mark Durkan

Katy Clark
Mark Lazarowicz
Mr Andrew Smith
Mr Mike Hancock
Dr Julian Huppert

Mike Weatherley
John McDonnell
Dame Joan Ruddock
Graeme Morrice
Martin Horwood

36

Clause 22, page 13, line 13, at end insert—

- ‘(1A) Demand reduction regulations must make provision about demand reduction payments.’.

Energy Bill, *continued*

Dr Alan Whitehead
Zac Goldsmith
Caroline Lucas
Mr John Leech
Jim Dobbin
John Robertson

Andrew George
Kelvin Hopkins
Mr Michael Meacher
Martin Caton
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Katy Clark
Mark Lazarowicz
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Mr Mike Hancock
Dr Julian Huppert

Mike Weatherley
John McDonnell
Dame Joan Ruddock
Graeme Morrice
Martin Horwood

37

Clause 22, page 13, line 21, at end insert—

‘(2A) Subject to any further provision made under this Chapter, a demand reduction payment is an instrument by virtue of which—

- (a) an energy user is paid for reducing the demand for energy or investing in a technology which can be shown to reduce the demand for energy either permanently or for a specified period;
- (b) all electricity suppliers may be required to make payments (“demand reduction payments”) to or for the benefit of these users.’.

Dr Alan Whitehead
Zac Goldsmith
Caroline Lucas
Mr John Leech
Jim Dobbin
John Robertson

Andrew George
Kelvin Hopkins
Mr Michael Meacher
Martin Caton
Mark Durkan

Katy Clark
Mark Lazarowicz
Mr Andrew Smith
Mr Mike Hancock
Dr Julian Huppert

Mike Weatherley
John McDonnell
Dame Joan Ruddock
Graeme Morrice
Martin Horwood

38

Clause 22, page 13, line 23, at end insert—

‘(3A) Provision included in regulations of demand reduction payments for the purposes of subsection (2A) may make provision about the meaning of “energy user”.’.

Dr Alan Whitehead
Zac Goldsmith
Caroline Lucas
Mr John Leech
Jim Dobbin
John Robertson

Andrew George
Kelvin Hopkins
Mr Michael Meacher
Martin Caton
Mark Durkan

Katy Clark
Mark Lazarowicz
Mr Andrew Smith
Mr Mike Hancock
Dr Julian Huppert

Mike Weatherley
John McDonnell
Dame Joan Ruddock
Graeme Morrice
Martin Horwood

39

Clause 22, page 13, line 41, at end insert—

‘(4A) Provision included in regulations of demand reduction payments by virtue of subsection (2A) may include provision about—

- (a) the terms of a demand reduction payment;

Energy Bill, *continued*

- (b) the circumstances in which, and the process by which, a demand reduction payment may or must be made;
- (c) the persons who may be paid;
- (d) the circumstances in which and technologies for which payments may be made;
- (e) the number and size of payments;
- (f) the means by which demand reduction payments are to be calculated;
- (g) a person or body who is to administer the settlement of demand reduction payments (“a settlement body”);
- (h) the enforcement of the terms relating to demand reduction payments;
- (i) the resolution of disputes relating to a demand reduction payment payment;
- (j) the circumstances in which a demand reduction payment may be terminated or reclaimed or varied;
- (k) the circumstances in which a demand reduction payment may be assigned or traded;
- (l) the means for monitoring and verifying the energy reduction for which demand reduction payments are made.’.

Dr Alan Whitehead
Zac Goldsmith
Caroline Lucas
Mr John Leech
Jim Dobbin
John Robertson

Andrew George
Kelvin Hopkins
Mr Michael Meacher
Martin Caton
Mark Durkan

Katy Clark
Mark Lazarowicz
Mr Andrew Smith
Mr Mike Hancock
Dr Julian Huppert

Mike Weatherley
John McDonnell
Dame Joan Ruddock
Graeme Morrice
Martin Horwood

40

Clause 22, page 14, line 6, at end insert—

‘(5A) Provision falling within subsection (4A) includes provision—

- (a) conferring on the national system operator the function of issuing demand reduction payments;
- (b) about any conditions that must be satisfied by or in relation to a person before that person may receive a demand reduction payment;
- (c) about any matters in relation to which a person must satisfy the national system operator before the person receives a demand reduction payment.’.

Energy Bill, *continued*

Dr Alan Whitehead
 Zac Goldsmith
 Caroline Lucas
 Mr John Leech
 Jim Dobbin
 John Robertson

Andrew George
 Kelvin Hopkins
 Mr Michael Meacher
 Martin Caton
 Dr Julian Huppert

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 Mr Andrew Smith
 Mr Mike Hancock
 Martin Horwood

Mike Weatherley
 John McDonnell
 Dame Joan Ruddock
 Graeme Morrice

41

Clause 22, page 14, line 9, at end insert—

- ‘(6A) Provision made by virtue of this section may include provision requiring a person to consent to the inspection of plant or premises, either before or after that person receives a demand reduction payment.
- (6B) Subject to the provisions in section 24, the Secretary of State must within six months of the making of demand reduction regulations establish a fund drawn from capacity payments for the purpose of issuing demand reduction payments.’.

Caroline Flint
 Tom Greatrex
 Luciana Berger

10

Clause 50, page 50, line 32, at end insert—

- ‘() Within three years of the passing of this Act the Secretary of State must carry out a review of the performance of the Regulator.
- () If the review carried out by the Secretary of State by virtue of this section determines that the Regulator has underperformed the Secretary of State may take whatever action would, in his opinion, improve performance of the Regulator.
- () Action by virtue of this section may include the replacement of the Regulator with a new body.’.

Secretary Edward Davey

135

Clause 133, page 102, line 30, after ‘operator’ insert ‘, a person or body on whom a function is conferred by virtue of section [*Provision about electricity demand reduction*]’.

ORDER OF THE HOUSE [19 DECEMBER 2012]

That the following provisions shall apply to the Energy Bill:

Committal

1. The Bill shall be committed to a Public Bill Committee.

Energy Bill, *continued*

Proceedings in Public Bill Committee

2. Proceedings in the Public Bill Committee shall (so far as not previously concluded) be brought to a conclusion on Tuesday 12 February 2013.
3. The Public Bill Committee shall have leave to sit twice on the first day on which it meets.

Consideration and Third Reading

4. Proceedings on Consideration shall (so far as not previously concluded) be brought to a conclusion one hour before the moment of interruption on the day on which those proceedings are commenced.
5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on that day.
6. Standing Order No. 83B (Programming committees) shall not apply to proceedings on Consideration and Third Reading.

Other proceedings

7. Any other proceedings on the Bill (including any proceedings on consideration of Lords Amendments or on any further messages from the Lords) may be programmed.

ENERGY BILL PROGRAMME (NO.2)

Secretary Edward Davey

That the Order of 19 December 2012 (Energy Bill (Programme)) be varied as follows:

1. Paragraphs 4 and 5 of the order shall be omitted.
2. Proceedings on Consideration and Third Reading shall be taken in two days.
3. Proceedings on Consideration shall be taken on each of those days as shown in the following Table and in the order shown.
4. Each part of the proceedings shall (so far as not previously concluded) be brought to a conclusion at the times specified in relation to it in the second column of the Table.

TABLE

<i>Proceedings</i>	<i>Time for conclusion of proceedings</i>
<i>First day</i>	
New Clauses and New Schedules relating to electricity market reform, other than any relating to electricity demand reduction, amendments to Part 2 other than amendments 1, 10, 34 to 47, 51 and 100, New Clauses and New Schedules relating to nuclear regeneration, amendments to Part 3, amendments to Part 5, and amendments to Clauses 121 to 125.	7.00 pm.
Amendments to Clause 126 and Schedule 14	10.00 pm

Energy Bill, continued*Proceedings**Time for conclusion of
proceedings**Second day*

New Clauses and New Schedules relating to decarbonisation, amendments to Part 1 and remaining amendments to Clause 5

4.00 pm

New Clauses and New Schedules relating to electricity demand reduction and remaining proceedings on Consideration.

6.00 pm

5. Proceedings on Third Reading shall (so far as not previously concluded) be brought to a conclusion at the moment of interruption on the second day.
-