

2011 No. 247

ELECTRICITY

**Electricity (Published Criteria for Generating Station)
Regulations (Northern Ireland) 2011**

Made - - - - *30th June 2011*

Coming into operation - *1st August 2011*

The Department of Enterprise, Trade and Investment, being a Department designated(a) for the purposes of section 2(2) of the European Communities Act 1972(b) in relation to energy and energy sources, in exercise of the powers conferred on it by the said section 2(2), and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Electricity (Published Criteria for Generating Station) Regulations (Northern Ireland) 2011 and shall come into operation on 1st August 2011.

Interpretation

2. The Interpretation Act (Northern Ireland) 1954(c) shall apply to these Regulations as it applies to an Act of the Assembly.

Amendment to the Electricity (Northern Ireland) Order 1992

3. In paragraph (9) of Article 39 of the Electricity (Northern Ireland) Order 1992(d) for “Article 6(2)” substitute “Article 7(2)”.

Sealed with the Official Seal of the Department of Enterprise, Trade and Investment on 30th June 2011.



A F Hepper
A senior officer of the
Department of Enterprise, Trade and Investment

(a) The European Communities (Designation) Order 2010 S.I. 2010/761
(b) 1972 c.68
(c) 1954 c.33 (N.I.1)
(d) S.I. 1992/231 (N.I. 1) as amended by Regulation 9 of S.R. 2005 No. 335

EXPLANATORY NOTE

(This note is not part of the Regulations)

Article 39(2A) of the Electricity (Northern Ireland) Order 1992 (“the Order”) requires that the Department shall only grant a consent under that Article in relation to the construction or extension of a generating station where it is satisfied that the station to which the consent relates will meet certain criteria determined and published by the Department. Article 7(2) of the European Parliament and Council Directive 2009/72/EC imposes certain obligations on the Department in relation to these criteria. These Regulations amend Article 39 of the Order to update the references therein so that they properly reflect this obligation.

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