



Energy Act 2008

2008 CHAPTER 32

PART 2

ELECTRICITY FROM RENEWABLE SOURCES

The renewables obligation

38 Section 37: supplemental provision

- (1) In the case of an order made under section 32 of the Electricity Act 1989 (c. 29) after the commencement of section 37, the requirements of section 32L(1) of that Act (as substituted by section 37) may be satisfied by consultation undertaken before that commencement or the passing of this Act.
- (2) Where a NI amending order is made, the Secretary of State may, by order—
 - (a) make consequential amendments to any reference to a provision of the NI Energy Order contained in sections 32 to 32M of the Electricity Act 1989 (as substituted by section 37);
 - (b) amend section 32K(2) of that Act (as so substituted) so as to extend it to certificates issued before the relevant time by the Northern Ireland Authority for Utility Regulation under provision included, by virtue of Article 54 of the NI Energy Order, in an order made under Article 52 of that Order.

(3) In this section—

“NI amending order” means an order under Article 56 of the NI Energy Order which (by virtue of section 40(2)) makes amendments to Part 7 of that Order to take account of any amendments made or proposed to be made by section 37;

“NI Energy Order” means the Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6));

“the relevant time” means the time when the first order made under Article 52 of the NI Energy Order by virtue of a NI amending order comes into force.

*Changes to legislation: There are currently no known outstanding effects
for the Energy Act 2008, Section 38. (See end of Document for details)*

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Commencement Information

- I1** S. 38 partly in force; s. 38(1) in force at Royal Assent, see s. 110(1)(a)
- I2** S. 38(2) in force at 26.1.2009 by [S.I. 2009/45](#), **art. 2(a)(i)**
- I3** S. 38(3) in force at 7.3.2009 by [S.I. 2009/559](#), **art. 2**

Changes to legislation:

There are currently no known outstanding effects for the Energy Act 2008, Section 38.