

Status: Point in time view as at 01/04/2014.

Changes to legislation: Enterprise and Regulatory Reform Act 2013, Cross Heading: The Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6)) is up to date with all changes known to be in force on or before 16 September 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 14 **U.K.**

REGULATORS: USE OF POWERS UNDER THE 1998 ACT

The Energy (Northern Ireland) Order 2003 (S.I. 2003/419 (N.I. 6))

24 The Energy (Northern Ireland) Order 2003 is amended as follows.

Commencement Information

II Sch. 14 para. 24 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

- 25 (1) Article 42 (orders for securing compliance) is amended as follows.
- (2) In paragraph (1), for “, (5) and” substitute “ and (5) to ”.
- (3) In paragraphs (2) and (4), for “(5) and” substitute “ (5) to ”.
- (4) In paragraph (5), omit sub-paragraph (b) and the “or” preceding it.
- (5) After that paragraph insert—
- “(5A) Before making a final order or making or confirming a provisional order in relation to a licence holder, the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.
- (5B) The Authority shall not make a final order or make or confirm a provisional order in relation to a licence holder if it considers that it would be more appropriate to proceed under the Competition Act 1998.”
- (6) In paragraph (7)—
- (a) in the words before sub-paragraph (a), after “(6)” insert “ or decides that it would be more appropriate to proceed under the Competition Act 1998 ”, and
- (b) in sub-paragraph (a), after “satisfied” insert “ or has so decided ”.

Commencement Information

12 Sch. 14 para. 25 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

- 26 In article 45 (financial penalties), for paragraph (3) substitute—
- “(3) Before imposing a penalty under paragraph (1) or (2) the Authority shall consider whether it would be more appropriate to proceed under the Competition Act 1998.
- (3A) The Authority shall not impose a penalty under paragraph (1) or (2) if it considers that it would be more appropriate to proceed under the Competition Act 1998.”

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Commencement Information

I3 Sch. 14 para. 26 in force at 1.4.2014 by S.I. 2014/416, art. 2(1)(e) (with Sch.)

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