
STATUTORY INSTRUMENTS

2003 No. 419

The Energy (Northern Ireland) Order 2003

PART VII

ELECTRICITY FROM RENEWABLE SOURCES

[^{F1}Interpretation of Articles 52 to 55F

55F.—(1) In this Article and Articles 52 to [^{F2}55EB]—

“banding provision” is to be construed in accordance with Article 54B(3);

[^{F3}“bioliquid” has the meaning given by Article 2(h) of Directive 2009/28/EC of the European Parliament and of the Council of 23rd April 2009 on the promotion of the use of energy from renewable resources;]

“fossil fuel” means—

- (a) coal,
- (b) lignite,
- (c) peat,
- (d) natural gas (within the meaning of the Energy Act 1976),
- (e) crude liquid petroleum,
- (f) petroleum products (within the meaning of that Act), or
- (g) any substance [^{F4}other than bioliquid] produced directly or indirectly from a substance mentioned in paragraphs (a) to (f);

^{F5} ...

“Great Britain supplier” means an electricity supplier within the meaning of Part 1 of the Electricity Act 1989;

“the renewables obligation” is to be construed in accordance with Article 52(4);

“renewables obligation certificate” is to be construed in accordance with Article 54;

“renewables obligation order” is to be construed in accordance with Article 52;

[^{F6}“renewables obligation closure order” is to be construed in accordance with Article 55EA;]

“renewable sources” means sources of energy other than fossil fuel or nuclear fuel, but includes waste of which not more than a specified proportion is waste which is, or is derived from, fossil fuel;

“specified”, in relation to a renewables obligation order [^{F7}or a renewables obligation closure order], means specified in the order.

(2) For the purposes of the definition of “renewable sources”, a renewables obligation order may make provision—

- (a) about what constitutes “waste”;

- (b) about how the proportion of waste which is, or is derived from, fossil fuel is to be determined;
 - (c) about what, subject to such exceptions as may be specified, constitutes sufficient evidence of that proportion in any particular case;
 - (d) authorising the Authority, in specified circumstances, to require an operator of a generating station to arrange—
 - (i) for samples of any fuel used (or to be used) in the generating station, or of any gas or other substance produced as a result of the use of such fuel, to be taken by a person, and analysed in a manner, approved by the Authority, and
 - (ii) for the results of that analysis to be made available to the Authority.
- (3) A renewables obligation order may make provision, for the purposes of Articles 52 to 55E, about the circumstances in which electricity is to be regarded as having been supplied to customers in Northern Ireland.]

F1	Arts. 52-55F substituted (1.2.2009) for arts. 52-55 by Energy (Amendment) Order (Northern Ireland) 2009 (S.R. 2009/35) , art. 2 (with art. 4)
F2	Word in art. 55F(1) substituted (14.5.2015) by Energy (Amendment) Order (Northern Ireland) 2015 (S.R. 2015/247) , arts. 1(1), 2(3)(a)
F3	Art. 55F(1): definition of "bioliquid" inserted (1.4.2011) by Renewables Obligation (Amendment) Order (Northern Ireland) 2011 (S.R. 2011/169) , art. 2(2) (with art. 18)
F4	Art. 55F(1): words in the definition of "fossil fuel" inserted (1.4.2011) by Renewables Obligation (Amendment) Order (Northern Ireland) 2011 (S.R. 2011/169) , art. 2(3) (with art. 18)
F5	Words in art. 55F(1) omitted (31.12.2020) by virtue of The Electricity and Gas etc. (Amendment etc.) (EU Exit) Regulations 2019 (S.I. 2019/530) , regs. 1(1), 142 ; 2020 c. 1, Sch. 5 para. 1(1)
F6	Art. 55F(1): definition of "renewables obligation closure order" inserted (14.5.2015) by Energy (Amendment) Order (Northern Ireland) 2015 (S.R. 2015/247) , arts. 1(1), 2(3)(b)
F7	Art. 55F(1): words in the definition of "specified" inserted (14.5.2015) by Energy (Amendment) Order (Northern Ireland) 2015 (S.R. 2015/247) , arts. 1(1), 2(3)(c)

Changes to legislation:

There are currently no known outstanding effects for the The Energy (Northern Ireland) Order 2003, Section 55F.