
EXPLANATORY NOTE

(This note is not part of the Order)

This Order provides for the coming into operation on 1st November 2007 of the following provisions of the Electricity (Single Wholesale Market) (Northern Ireland) Order 2007-

- (a) Article 6 which gives effect to Schedule 2 and provides for the establishment and operation of a committee (“the SEM Committee”) of the Northern Ireland Authority for Utility Regulation (“the Authority”) to take decisions on the exercise by the Authority of its relevant functions in relation to the Single Electricity Market (“SEM”) as defined at Article 6(3).
- (b) Article 7 which requires the Authority to publish a statement on how it will carry out its SEM Committee functions and how it will work with the Commission for Energy Regulation in the exercise of their respective statutory functions in relation to the SEM.
- (c) Article 8 which provides for Schedule 3 to have effect in relation to the entry by officers of the Authority to premises of a licence holder where the SEM Committee determines that there are reasonable grounds for suspecting that the licence holder may be contravening or may have contravened any condition of his licence which would materially affect, or be likely materially to effect, the SEM. Schedule 3 also sets out various offences for failure to co-operate with investigations of the Authority in this regard.
- (d) Article 9 which sets out the duties that will apply to the Department, the Authority and the SEM Committee in carrying out their respective functions in relation to the SEM.
- (e) Article 10(2) and (3) which disapply Article 9 in relation to decisions by the SEM Committee on the exercise by the Authority of certain functions under the Electricity (Northern Ireland) Order (1992) (“the 1992 Order”) and the Energy (Northern Ireland) Order 2003 (“the 2003 Order”) or to anything done by the Authority in giving effect to such decisions.
- (f) Article 12 and certain provisions of Schedule 4 which provide for a number of consequential amendments to the 1992 Order and the 2003 Order.