
STATUTORY RULES OF NORTHERN IRELAND

2013 No. 173

**The Gas and Electricity (Internal Markets)
(Amendment) Regulations (Northern Ireland) 2013**

Amendment

3. The Gas and Electricity (Internal Markets) Regulations (Northern Ireland) 2011⁽¹⁾ are amended by inserting after Regulation 10—

“Certification of SONI Limited

10A.—(1) The obligation imposed by Article 10B(1) shall apply in relation to SONI Limited (“the System Operator”) while it holds a transmission licence as it applies to a person specified in that paragraph.

(2) The application made by Northern Ireland Electricity Limited (“the NIE application”) under Article 10C shall be deemed for the purposes of Articles 10B to 10K as including an application under Article 10C by the System Operator for certification.

(3) Insofar as the NIE application is deemed by paragraph (2) to be an application by the System Operator, paragraphs (1), (3) to (6) and (10) of Article 10C shall not apply and paragraph (8) of that Article shall apply as if the reference in it to a related transmission licensee were omitted.

(4) The Authority shall be deemed to have made a preliminary decision in accordance with Article 10E(1) that it should certify the System Operator in accordance with that Article on the second certification ground and in relation to that decision—

(a) Article 10E(2), (3) and (6) shall apply as if the references to a related transmission licensee were omitted; and

(b) the Authority shall be deemed to have otherwise complied with Article 10E(3).

(5) Where the Authority makes a final decision in pursuance of the obligation in Article 3 of the Electricity Regulation that the System Operator should be certified on the second certification ground, Northern Ireland Electricity Limited shall be deemed to be also certified for the purposes of Articles 10B to 10K on the second certification ground.

(6) Those purposes shall not include the designation of an electricity transmission system operator for the purposes of Article 10(2) of the Directive.

(7) Where paragraph (5) applies, then in relation to the System Operator, any reference to a related transmission licensee in Article 10I(4)(a), (8), (9) or (11) or in Article 10K(6) shall be deemed to include a reference to Northern Ireland Electricity Limited.

(8) In this Regulation—

(a) a reference to a numbered Article shall unless the contrary intention appears be taken as a reference to the Article bearing that number in the Electricity Order; and

(b) other expressions have the same meaning as in Articles 10B to 10K.”

(1) S.R. 2011 No. 155 (N.I.)

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.
