
SCOTTISH STATUTORY INSTRUMENTS

2005 No. 185

The Renewables Obligation (Scotland) Order 2005

Revocation, transitional and savings

20.—(1) Subject to paragraphs (2) to (10), the 2004 Order is hereby revoked.

(2) The 2004 Order shall continue to apply in respect of the revocation, transitional and savings provisions in article 14 of that Order.

(3) The 2004 Order shall continue to apply in respect of the renewables obligation of each designated electricity supplier to produce to the Authority evidence in accordance with the terms of article 3 of the 2004 Order, before the specified day of 1st October 2005 and for the purposes of this paragraph and paragraphs (4) to (9), the first line in the column headed “Obligation period”, and the first percentage specified in the column headed “Percentage of total supplies” in Schedule 1 to the 2004 Order shall continue to apply.

(4) The 2004 Order shall continue to apply in respect of the obligations of each designated electricity supplier in terms of article 6(5) of the 2004 Order to furnish information to the Department of Trade and Industry by no later than the 20th June 2005.

(5) The 2004 Order shall continue to apply in respect of the obligation of each designated electricity supplier in terms of article 6(6) of the 2004 Order to inform the Authority of information before 7th August 2005.

(6) The 2004 Order shall continue to apply in respect of the ability of a designated electricity supplier to discharge its renewables obligation in relation to a particular obligation period by making a payment to the Authority before the specified day of 1st October 2005 in accordance with the terms of article 7 of the 2004 Order.

(7) The 2004 Order shall continue to apply in respect of the obligation of the Authority to pay out the buy-out fund, by 1st December 2005 in accordance with the terms of article 12 of the 2004 Order.

(8) The 2004 Order shall continue to apply in respect of the obligations of the Authority to pay out the late payment fund, by 1st April 2005 and 1st April 2006, respectively, all in accordance with article 12 of the 2004 Order.

(a) (9) (a) Subject to (b), the 2004 Order shall continue to apply in respect of all the functions of the Authority referred to in article 13 of the 2004 Order insofar as they relate to the obligation period under the 2004 Order ending on 31st March 2005

(b) The 2004 Order shall continue to apply in respect of the functions of the Authority referred to in article 13(e) of the 2004 Order insofar as they relate to the obligation periods under the 2004 Order up to and including the obligation period ending on 31st March 2006.

(10) Where, immediately before the coming into force of this Order, article 2(4) of the 2004 Order had effect in relation to any sub-50 kilowatt station (as defined in article 4(15)), article 4(15) shall apply in relation to that station in respect of the obligation period from 1st April 2005 to 31st March 2006 as if—

(a) that obligation period were a relevant obligation period for the purposes of article 4(15); and

(b) the operator of that station had given notice under article 4(15)(b)(ii) in respect of that station not less than one month before the beginning of that obligation period.