

2013 No. 58

ELECTRICITY

**The Electricity (Applications for Consent) Amendment
(Scotland) Regulations 2013**

Made - - - - *20th February 2013*
Laid before the Scottish Parliament *22nd February 2013*
Coming into force - - *5th April 2013*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by sections 36(8) and 60(3) of, and paragraph 1(3) of Schedule 8 to, the Electricity Act 1989(a) and all other powers enabling them to do so.

Citation, commencement and extent

1.—(1) These Regulations may be cited as the Electricity (Applications for Consent) Amendment (Scotland) Regulations 2013 and come into force on 5th April 2013.

(2) These Regulations extend to Scotland only.

Amendment of the Electricity (Applications for Consent) Regulations 1990

2.—(1) The Electricity (Applications for Consent) Regulations 1990(b) are amended in accordance with paragraph (2).

(2) In regulation 11(1) (fees payable on applications for consent) for the Table(c) substitute—

“**TABLE**

<i>Subject matter of application for consent</i>	<i>Fee</i>
1. Overhead line with a total distance not exceeding 15 kilometres which is not EIA development	£180
2. Overhead line with a total distance not exceeding 15 kilometres which is EIA development	£2,400
3. Overhead line with a total distance—	
(a) exceeding 15 kilometres but not exceeding 50 kilometres	£18,000
(b) exceeding 50 kilometres but not exceeding 100 kilometres	£30,000
(c) exceeding 100 kilometres	£60,000

(a) 1989 c.29. The functions of the Secretary of State were transferred to the Scottish Ministers by virtue of the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) Order 1999 (S.I. 1999/1750), article 2 and Schedule 1 and the Scotland Act 1998 (Transfer of Functions to the Scottish Ministers etc.) (No. 2) Order 2006 (S.I. 2006/1040), article 3.
(b) S.I. 1990/455, amended by S.S.I. 2005/295 and 2006/18.
(c) The current Table was substituted by S.S.I. 2006/18.

<i>Subject matter of application for consent</i>	<i>Fee</i>
4. Construction or construction and operation of a generating station of capacity—	
(a) not exceeding 10 megawatts	£6,000
(b) exceeding 10 megawatts but not exceeding 100 megawatts	£18,000
(c) exceeding 100 megawatts but not exceeding 200 megawatts	£24,000
(d) exceeding 200 megawatts but not exceeding 500 megawatts	£36,000
(e) exceeding 500 megawatts	£60,000
5. Extension or extension and operation of a generating station resulting in increase in capacity—	
(a) not exceeding 10 megawatts	£6,000
(b) exceeding 10 megawatts but not exceeding 100 megawatts	£18,000
(c) exceeding 100 megawatts but not exceeding 200 megawatts	£24,000
(d) exceeding 200 megawatts but not exceeding 500 megawatts	£36,000
(e) exceeding 500 megawatts	£60,000
6. Extension of a nuclear generating station by retrofitting of emission control equipment	£6,000
7. Any other extension of a generating station	£1,200
8. Operation only or change to manner of operation of a generating station	£1,200”

Revocations

3.—(1) The provisions specified in paragraph (2) are revoked.

(2) The provisions are—

- (a) regulation 2(3) of the Electricity (Applications for Consent) Amendment (Scotland) Regulations 2005(a); and
- (b) the Electricity (Applications for Consent) Amendment (Scotland) Regulations 2006(b).

FERGUS EWING
Authorised to sign by the Scottish Ministers

St Andrew’s House,
Edinburgh
20th February 2013

(a) S.S.I. 2005/295.
(b) S.S.I. 2006/18.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Electricity (Applications for Consent) Regulations 1990 (“the principal Regulations”). The principal Regulations apply in relation to applications for consent under section 36 of the Electricity Act 1989 (“the 1989 Act”) to construct, extend, operate or change the manner of operation of a generating station, or under section 37 of the 1989 Act to install or keep installed an electric line above ground.

Regulation 2 amends regulation 11(1) of the principal Regulations by substituting a new table of application fees payable for consent applications in Scotland. This replaces the table of application fees introduced by the Electricity (Applications for Consent) Amendment (Scotland) Regulations 2006.

Regulation 3 revokes the provision which inserted the previous tables into the principal Regulations, namely, regulation 2(3) of the Electricity (Applications for Consent) Amendment (Scotland) Regulations 2005 and the Electricity (Applications for Consent) Amendment (Scotland) Regulations 2006.

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