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DRAFT STATUTORY INSTRUMENTS

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**2003 No.**

**The Energy (Northern Ireland) Order 2003**

**PART VII**

**ELECTRICITY FROM RENEWABLE SOURCES**

**Obligation in connection with electricity from renewable sources**

**52.**—(1) The Department may by order impose on each electricity supplier who falls within a specified description (“a designated electricity supplier”) an obligation to do what is set out in paragraph (2) (and that obligation is referred to in this Part as the “renewables obligation”).

(2) Subject to the provisions of this Article and Articles 53 and 55, the renewables obligation is that the designated electricity supplier must, before a specified day (or before each of several specified days, or before a specified day in each year), produce to the Authority evidence of a specified kind showing—

- (a) that he has supplied to customers in Northern Ireland during a specified period such amount of electricity generated by using renewable sources as is specified in relation to such a supplier; or
- (b) that another electricity supplier has done so (or that two or more others have done so); or
- (c) that between them they have done so.

(3) In this Part “electricity supplier” means the holder of a licence under Article 10(1)(c) or (2) of the Electricity Order, except where he is acting otherwise than for purposes connected with the carrying on of activities authorised by the licence.

(4) Evidence of the supply of electricity may not be produced more than once in relation to the same electricity.

(5) In the case of electricity generated by a generating station fuelled or driven partly by renewable sources and partly by fossil fuel or peat, only the proportion attributable to the renewable sources can count towards discharging the renewables obligation (but this is subject to Article 53(1)(g)).

(6) Before making an order under this Article, the Department shall consult—

- (a) the Authority;
- (b) the Council;
- (c) the electricity suppliers to whom the proposed order would apply;
- (d) persons generating electricity from renewable sources in Northern Ireland; and
- (e) such other persons, if any, as the Department considers appropriate.

(7) In this Article and Article 53—

“fossil fuel” means coal, substances produced directly or indirectly from coal, lignite, natural gas, crude liquid petroleum, or petroleum products (and “natural gas” and “petroleum products” have the same meanings as in the Energy Act 1976 (c. 76));

“peat” includes substances produced directly or indirectly from peat;

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

“specified” means specified in the order.