



Electricity Act 1989

1989 CHAPTER 29

PART I

ELECTRICITY SUPPLY

Protection of public interest

[^{F1}32A Orders under section 32: supplementary.

- (1) An order under section 32 may make provision generally in relation to the renewables obligation imposed by the order, and may in particular specify—
 - (a) different obligations for successive periods of time;
 - (b) that only electricity generated using specified descriptions of renewable source is to count towards discharging the obligation (or that such electricity is to count only up to a specified amount);
 - (c) that only electricity generated by specified descriptions of generating station is to count towards discharging the obligation (or that such electricity is to count only up to a specified amount);
 - (d) that a specified minimum amount of electricity generated as mentioned in paragraph (b) or (c) is to be counted towards the discharge of the renewables obligation;
 - (e) how the amount of electricity supplied by an electricity supplier (whether generally or to particular customers or descriptions of customer) is to be determined;
 - (f) how the proportion referred to in section 32(6) or in the definition of “renewable sources” in section 32(8) is to be determined;
 - (g) the consequences for the discharge of the renewables obligation if a generating station of the type mentioned in section 32(6) uses more than a specified proportion of fossil fuel during a specified period (which may include the consequence that none of the electricity generated by that generating station during that period is to count towards discharging the obligation);

Status: Point in time view as at 12/04/2006. This version of this provision has been superseded.

Changes to legislation: Electricity Act 1989, Section 32A is up to date with all changes known to be in force on or before 14 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

- (h) that specified information, or information of a specified nature, is to be given to the Authority (in addition to the evidence referred to in section 32(3)), and the form in which it is to be given.
- (2) An order may, in relation to any specified period (“the current period”)—
- (a) provide that evidence of electricity supplied in a later period may, when available, be counted towards discharging the renewables obligation for the current period;
 - (b) provide that evidence of electricity supplied in the current period may, in a later period, be counted towards discharging the renewables obligation for that period;
 - (c) specify how much later the later period referred to in paragraph (a) or (b) may be;
 - (d) specify a maximum proportion of the renewables obligation for any period which may be discharged as mentioned in paragraph (a) or (b);
 - (e) specify a maximum proportion of electricity supplied in any period evidence of which may be counted towards discharging the renewables obligation for a different period.
- (3) An order may make—
- (a) different provision for different cases or circumstances; and
 - (b) different provision in relation to different suppliers,
- if the Secretary of State is of the opinion that [^{F2}no supplier would by virtue of the differences be unduly disadvantaged in competing with other suppliers].
- [In subsection (3) “supplier” means an electricity supplier or a Northern Ireland ^{F3}(3A) supplier.]
- (4) An order may provide for the Authority to require an electricity supplier to provide it with information, or with information of a particular kind, which is in its opinion relevant to the question whether the supplier is discharging, or has discharged, the renewables obligation.
- (5) That information must be given to the Authority in whatever form it requires.
- (6) No person shall be required by virtue of this section to provide any information which he could not be compelled to give in evidence in civil proceedings in the High Court or, in Scotland, the Court of Session.
- (7) An order may make further provision as to the functions of the Authority in relation to the [^{F4}matters dealt with] by the order.]

Textual Amendments

- F1** S. 32A inserted (1.10.2001) by 2000 c. 27, s. 63; S.I. 2001/3266, art. 2, Sch. (subject to transitional provisions in arts. 3-20)
- F2** Words in s. 32A(3) substituted (5.10.2004) by Energy Act 2004 (c. 20), ss. 119(4), 198(2); S.I. 2004/2575, art. 2(1), Sch. 1
- F3** S. 32A(3A) inserted (5.10.2004) by Energy Act 2004 (c. 20), ss. 119(5), 198(2); S.I. 2004/2575, art. 2(1), Sch. 1
- F4** Words in s. 32A(7) substituted (5.10.2004) by Energy Act 2004 (c. 20), ss. 119(6), 198(2); S.I. 2004/2575, art. 2(1), Sch. 1

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